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MATT BLUNT

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Documents will be accepted for filing on all regular workdays from 8:00 a.m. until 5:00 p.m. We encourage early filings to facilitate the timely publication of the *Missouri Register*. Orders of Rulemaking appearing in the *Missouri Register* will be published in the *Code of State Regulations* and become effective as listed in the chart above. Advance notice of large volume filings will facilitate their timely publication. We reserve the right to change the schedule due to special circumstances. Please check the latest publication to verify that no changes have been made in this schedule. To review the entire year's schedule, please check out the web site at <http://www.sos.state.mo.us/adrules/pubsched.asp>

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HOW TO CITE RULES AND RSMo

RULES—Cite material in the *Missouri Register* by volume and page number, for example, Vol. 26, *Missouri Register*, page 27. The approved short form of citation is 26 MoReg 27.

The rules are codified in the *Code of State Regulations* in this system—

Title	Code of State Regulations	Division	Chapter	Rule
1	CSR	10-	1.	010
Department		Agency, Division	General area regulated	Specific area regulated

They are properly cited by using the full citation , i.e., 1 CSR 10-1.010.

Each department of state government is assigned a title. Each agency or division in the department is assigned a division number. The agency then groups its rules into general subject matter areas called chapters and specific areas called rules. Within a rule, the first breakdown is called a section and is designated as (1). Subsection is (A) with further breakdown into paragraph 1., subparagraph A., part (I), subpart (a), item I. and subitem a.

RSMo—Cite material in the RSMo by date of legislative action. The note in parentheses gives the original and amended legislative history. The Office of the Revisor of Statutes recognizes that this practice gives users a concise legislative history.

Rules appearing under this heading are filed under the authority granted by section 536.025, RSMo 2000. An emergency rule may be adopted by an agency if the agency finds that an immediate danger to the public health, safety or welfare, or a compelling governmental interest requires emergency action; follows procedures best calculated to assure fairness to all interested persons and parties under the circumstances; follows procedures which comply with the protections extended by the *Missouri* and the *United States Constitutions*; limits the scope of such rule to the circumstances creating an emergency and requiring emergency procedure, and at the time of or prior to the adoption of such rule files with the secretary of state the text of the rule together with the specific facts, reasons and findings which support its conclusion that there is an immediate danger to the public health, safety or welfare which can be met only through the adoption of such rule and its reasons for concluding that the procedure employed is fair to all interested persons and parties under the circumstances.

Rules filed as emergency rules may be effective not less than ten (10) days after filing or at such later date as may be specified in the rule and may be terminated at any time by the state agency by filing an order with the secretary of state fixing the date of such termination, which order shall be published by the secretary of state in the *Missouri Register* as soon as practicable.

All emergency rules must state the period during which they are in effect, and in no case can they be in effect more than one hundred eighty (180) calendar days or thirty (30) legislative days, whichever period is longer. Emergency rules are not renewable, although an agency may at any time adopt an identical rule under the normal rulemaking procedures.

Title 2—DEPARTMENT OF AGRICULTURE Division 30—Animal Health Chapter 2—Health Requirements for Movement of Livestock, Poultry and Exotic Animals

EMERGENCY RULE

2 CSR 30-2.012 Requirements for Captive Elk Entering Missouri During September 1, 2002 through September 30, 2002

PURPOSE: This rule requires all captive elk entering Missouri during September 1, 2002 through September 30, 2002 to be identified and enrolled in the Missouri Department of Agriculture's surveillance program by March 31, 2003. The purpose of this rule is to protect Missouri's elk industry from the introduction of Chronic Wasting Disease.

EMERGENCY STATEMENT: The state veterinarian has determined that Chronic Wasting Disease (CWD) could be devastating to Missouri's elk industry. This rule is based on reports of several states finding animals that have tested positive for CWD and the fact that animals have been exported to several states from known infected herds.

The agency has weighed the compelling governmental interest against the due process rights of the public to notice and comment. In light of potential threat to the elk industry and other wildlife industries, there is a compelling governmental interest to enact this rule

through emergency rulemaking. The scope of this emergency rule is limited to the circumstances creating the emergency and complies with the protections extended in the Missouri and United States Constitutions. In developing this rule the agency has encouraged discussion with interested parties and provided them the opportunity to offer their comments. The agency believes this emergency rule to be fair to all persons and parties under the circumstances. This emergency rule was filed August 6, 2002, effective August 16, 2002 and expires February 1, 2003.

(1) All captive elk imported into Missouri during September 1, 2002 through September 30, 2002, shall be tagged in a method allowing individual animal identification.

(2) Receiving herds shall be enrolled in the Missouri Department of Agriculture's Chronic Wasting Disease monitoring program by March 31, 2003.

AUTHORITY: section 267.645, RSMo 2000. Emergency rule filed Aug. 6, 2002, effective Aug. 16, 2002, expires Feb. 1, 2003.

Title 2—DEPARTMENT OF AGRICULTURE Division 110—Office of the Director Chapter 1—Missouri Qualified Fuel Ethanol Producer Incentive Program

EMERGENCY AMENDMENT

2 CSR 110-1.010 Description of General Organization; Definitions; Requirements of Eligibility, Licensing, Bonding, and Application for Grants; Procedures for Grant Disbursements; Record Keeping Requirements, and Verification Procedures for the Missouri Qualified Fuel Ethanol Producer Incentive Program. The department is amending sections (2), (3), (4), (6) and (7).

PURPOSE: This amendment requires that qualified fuel ethanol producers be at least fifty-one (51%) percent owned by agricultural producers actively engaged in agricultural production for commercial purposes, drops the requirement to submit grant applications fifteen (15) days before the first day of the month for which the grant is sought, extends the eligibility to receive grants beyond the original sixty (60)-month period, changes the grant period from calendar year to fiscal year, and changes the last month's allocation method if funding runs out in a fiscal year.

EMERGENCY STATEMENT: This emergency amendment is necessary to be in compliance with section 142.028, RSMo, which was revised in the most recent legislative session with an effective date of August 28, 2002. The emergency amendment is needed to change the method used to calculate ethanol producer incentive grants from a calendar year to a fiscal year basis and, as a result, necessitates emergency action. A proposed amendment covering the same material is published in this issue of the Missouri Register. This emergency amendment was filed August 14, 2002, effective August 28, 2002, expires February 23, 2003.

(2) Definitions.

(B) Missouri qualified fuel ethanol producer (MQFEP)—Any producer of fuel ethanol whose principal place of business and facility for the fermentation and distillation of fuel ethanol is located within the state of Missouri and is at least fifty-one percent (51%) owned by agricultural producers actively engaged in agricultural production for commercial purposes, and which has made formal

application, posted a bond, and conformed to the requirements of this rule;

(D) Actively engaged in agricultural production for commercial purposes—Producing cereal grain or cereal grain by-products in quantities sufficient to meet the delivery obligations of the ethanol production facility;

[(D)] **(E) Qualified fuel ethanol—Fuel ethanol produced by a MQFEP;**

[(E)] **(F) Missouri agricultural products—Cereal grain or cereal grain by-products produced in Missouri./;**

[(F)] **(G) Department—The Missouri Department of Agriculture; and**

[(G)] **(H) Director—The director of the Missouri Department of Agriculture.**

(3) Criteria for Classification as a Missouri Qualified Fuel Ethanol Producer. To be classified *[an]* as a MQFEP, a producer's principal place of business and facility for the fermentation and distillation of fuel ethanol must be located within the state of Missouri **and must be at least fifty-one percent (51%) owned by agricultural producers actively engaged in agricultural production for commercial purposes. In addition, [and] the producer must—**

(4) Procedures for Obtaining a Missouri Qualified Fuel Ethanol Producer License.

(B) The license application form must include:

1. The fuel ethanol producer's Bureau of Alcohol, Tobacco and Firearms Permit number;

2. The fuel ethanol producer's federal employer identification number or Social Security number;

3. If incorporated, a copy of the Certificate of Good Standing issued by the Missouri Secretary of State;

4. Complete name and address of the owner(s), or the names and addresses of the partners if the MQFEP is a partnership or the names and addresses of the principal officers if the MQFEP is a corporation **or limited liability company;**

5. Certification by the MQFEP's board of directors that at least fifty-one percent (51%) of the owners produce cereal grain or cereal grain by-products in quantities sufficient to meet the delivery obligations of the ethanol production facility;

[5./] **6.** Diagram of the premises (location of the still, etc.);

[6./] **7.** Description of the stills, including their capacity;

[7./] **8.** The amount and source of the feedstocks to be used annually by the facility;

[8./] **9.** The maximum number of gallons of ethanol to be produced annually by the facility; and

[9./] **10.** The amount and source of funds invested in the facility.

(F) To assure renewal effective July 1, renewal license applications must be submitted and received by the department by *[April]* May 30.

(6) Grant Application Procedures.

[(C)] **The completed grant application form must be received by the department fifteen (15) days before the first day of the month for which the grant is sought. Any information or documents submitted by an MQFEP to the department will be considered received by the department on the—**

1. Postal mark date for items delivered by the United States Postal Service;

2. Actual date received for items delivered by any other carrier service; or

3. Actual date received for information received by facsimile within the Jefferson City, Missouri central office of the department.]

[(D)] (C) The grant application form must include the:

1. Complete name and address of the owner(s), or names and addresses of the partners if the MQFEP is a partnership, or the names and addresses of the principal officers if the MQFEP is a corporation **or limited liability company;**

2. Address and location of all fuel ethanol plants owned by the MQFEP. Each MQFEP must include all Missouri plants and plants outside Missouri;

3. Production capacity of each fuel ethanol plant;

4. Estimated number of employees needed to reach the production capacity of each fuel ethanol plant;

5. Number of bushels of Missouri agricultural products used by the MQFEP in the production of fuel ethanol during the preceding quarter;

6. Total number of employees and the number of Missouri citizens employed by the MQFEP during the preceding quarter;

7. Number of bushels of Missouri agricultural products to be used by the MQFEP in the production of fuel ethanol during the month for which the grant is applied;

8. Number of gallons of qualified fuel ethanol the MQFEP expects to manufacture during the month for which the grant is applied;

9. Estimated production of fuel ethanol the MQFEP expects to manufacture during the current fiscal year (July 1 through June 30);

10. A copy of the qualified fuel ethanol producer license; and

11. Name and address of the surety company, the bond number and the amount of the bond posted under this rule.

(7) Grant Disbursement Procedures.

(B) A MQFEP shall be eligible for a monthly grant from the Missouri Qualified Fuel Ethanol Producer Incentive Fund, except that a MQFEP shall be eligible for the grant for a total of sixty (60) months **unless such producer during those sixty (60) months failed, due to a lack of appropriations, to receive the full amount from the fund for which they were eligible, in which case such producers shall continue to be eligible for up to twenty-four (24) additional months or until they have received the maximum amount of funding for which they were eligible during the original sixty (60)-month time period.**

(C) The amount of each monthly grant is determined by calculating the estimated gallons of qualified fuel ethanol to be produced from Missouri agricultural products for the succeeding calendar month, as certified by the department, and multiplying such figure by the per gallon credit established in section 142.028, RSMo and this rule. Each MQFEP shall be eligible for a total grant in any *[calendar]* fiscal year equal to twenty cents (20¢) per gallon for the first twelve and one-half (12.5) million gallons of qualified fuel ethanol produced from Missouri agricultural products in the *[calendar]* fiscal year, plus five cents (5¢) per gallon for the next twelve and one-half (12.5) million gallons of qualified fuel ethanol produced from Missouri agricultural products in the *[calendar]* fiscal year. All such qualified fuel ethanol produced by a MQFEP in excess of twenty-five (25) million gallons shall not be applied to the computation of a grant.

(D) Should available monies be insufficient to pay all MQFEPs the maximum monthly grant allowed by law, available monies will be apportioned so that each MQFEP shall receive a share of monies proportionate to *[the total amount requested by]* **recent production levels of all MQFEPs [for that month].**

AUTHORITY: section 142.028, RSMo [Supp. 1999] 2000. Original rule filed June 14, 1995, effective Dec. 30, 1995. Amended: Filed June 13, 2000, effective Dec. 30, 2000. Emergency amendment filed Aug. 14, 2002, effective Aug. 28, 2002, expires Feb. 23, 2003. A proposed amendment covering this same material is published in this issue of the Missouri Register.

Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 9—Wildlife Code: Confined Wildlife: Privileges,
Permits, Standards

ORDER TERMINATING EMERGENCY
AMENDMENT

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission hereby terminates an emergency amendment effective August 27, 2002, as follows:

3 CSR 10-9.353 Privileges of Class I and Class II Wildlife
Breeders is terminated.

A notice of emergency rulemaking containing the text of the emergency amendment was published in the *Missouri Register* on April 1, 2002 (27 MoReg 547-548).

Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 9—Wildlife Code: Confined Wildlife: Privileges,
Permits, Standards

EMERGENCY AMENDMENT

3 CSR 10-9.353 Privileges of Class I and Class II Wildlife
Breeders. The commission is amending section (3) of this rule.

PURPOSE: This amendment addresses current disease risks associated with the interstate and intrastate transport of cervids that potentially pose a threat to the health of captive cervids and Missouri's wild deer herd, and establishes monitoring standards for captive operations under permit.

EMERGENCY STATEMENT: The Department of Conservation has determined that chronic wasting disease poses significant risks that could be devastating to Missouri's wildlife resources and captive cervid industry. This disease, if introduced into Missouri, is a potential immediate threat to the public health, safety, and welfare. The agency has weighed the compelling governmental interest against the due process rights of the public to notice and comment. In light of the potential health and welfare threats, there is a compelling governmental interest to enact this rule through emergency amendment. Insight provided by the captive cervid industry and the Department of Agriculture has proved extremely beneficial in developing this amendment to minimize the risks of chronic wasting disease associated with the movement of cervids. The agency believes this emergency amendment to be fair to all persons and parties under the circumstances. This emergency amendment was filed on August 14, 2002, effective August 24, 2002, expires February 10, 2003.

(3) Any cervid entering a Class I wildlife breeder operation that has ever been held in a state or province having a documented chronic wasting disease case shall be required to come from a herd comprised of animals that have been certified, through a United States Department of Agriculture approved or state-sponsored program, to be chronic wasting disease free for a minimum of three (3) years. All elk, elk-hybrids, mule deer, and white-tailed deer introduced into a Class I wildlife breeder operation shall be tagged in a method allowing individual animal identification. All elk, elk-hybrids, mule deer, and white-tailed deer over twelve (12) months of age that die of any cause, within a Class I wildlife breeder operation, shall be tested for chronic wasting disease at a federally approved laboratory. By March 31, 2003, all Class I wildlife breeder operations shall be enrolled in Missouri's chronic wasting disease monitoring program. [Proof of such certification and a]All per-

mits issued by the state veterinarian's office allowing cervids to enter Missouri and all chronic wasting disease test results must be kept by the permittee and are subject to inspection by an agent of the department at any reasonable time. All test results documenting a positive case of chronic wasting disease shall be reported immediately to an agent of the department.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. This rule was previously filed as 3 CSR 10-10.755. Original rule filed Aug. 18, 1970, effective Dec. 31, 1970. For intervening history, please consult the Code of State Regulations. Emergency amendment filed Aug. 14, 2002, effective Aug. 24, 2002, expires Feb. 10, 2003. A proposed amendment covering this same material is published in this issue of the Missouri Register.

Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 9—Wildlife Code: Confined Wildlife: Privileges,
Permits, Standards

ORDER TERMINATING EMERGENCY
AMENDMENT

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission hereby terminates an emergency amendment effective August 27, 2002, as follows:

3 CSR 10-9.565 Licensed Hunting Preserve: Privileges
is terminated.

A notice of emergency rulemaking containing the text of the emergency amendment was published in the *Missouri Register* on April 1, 2002 (27 MoReg 548-549).

Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 9—Wildlife Code: Confined Wildlife: Privileges,
Permits, Standards

EMERGENCY AMENDMENT

3 CSR 10-9.565 Licensed Hunting Preserve: Privileges. The commission is amending subsection (1)(B) of this rule.

PURPOSE: This amendment addresses current disease risks associated with the interstate and intrastate transport of cervids that potentially pose a threat to the health of captive cervids and Missouri's wild deer herd, and establishes monitoring standards for captive operations under permit.

EMERGENCY STATEMENT: The Department of Conservation has determined that chronic wasting disease poses significant risks that could be devastating to Missouri's wildlife resources and captive cervid industry. This disease, if introduced into Missouri, is a potential immediate threat to the public health, safety, and welfare. The agency has weighed the compelling governmental interest against the due process rights of the public to notice and comment. In light of the potential health and welfare threats, there is a compelling governmental interest to enact this rule through emergency amendment. Insight provided by the captive cervid industry and the Department of Agriculture has proved extremely beneficial in developing this amendment to minimize the risks of chronic wasting disease associated with the movement of cervids. The agency believes this emergency amendment to be fair to all persons and parties under the circumstances. This emergency amendment was filed on August 14, 2002, effective August 24, 2002, expires February 10, 2003.

(1) Licensed hunting preserves are subject to inspection by an agent of the department at any reasonable time. Animal health standards and movement activities shall comply with all state and federal regulations. Any person holding a licensed hunting preserve permit may release on his/her licensed hunting preserve legally acquired pheasants, exotic partridges, quail and ungulates (hoofed animals) for shooting throughout the year, under the following conditions:

(B) Big Game Hunting Preserve.

1. The hunting preserve for ungulates shall be a single body of land not less than three hundred twenty (320) acres and no more than three thousand two hundred (3,200) acres in size, fenced so as to enclose and contain all released game and exclude all hoofed wildlife of the state from becoming a part of the enterprise and posted with signs specified by the department. Fence height shall meet standards specified in 3 CSR 10-9.220.

2. Any cervid entering a big game hunting preserve operation that has ever been held in a state or province having a documented chronic wasting disease case shall be required to come from a herd comprised of animals that have been certified, through a United States Department of Agriculture approved or state-sponsored program, to be chronic wasting disease free for a minimum of three (3) years. **All elk, elk-hybrids, mule deer, and white-tailed deer introduced into a big game hunting preserve operation shall be tagged in a method allowing individual animal identification. All elk, elk-hybrids, mule deer, and white-tailed deer over twelve (12) months of age that die of any cause, within a big game hunting preserve breeding enclosure, shall be tested for chronic wasting disease at a federally approved laboratory. By March 31, 2003, all big game hunting preserve breeding enclosures shall be enrolled in Missouri's chronic wasting disease monitoring program.** *[Proof of such certification and a]* All permits issued by the state veterinarian's office allowing cervids to enter Missouri **and all chronic wasting disease test results** must be kept by the permittee and are subject to inspection by an agent of the department at any reasonable time. **All test results documenting a positive case of chronic wasting disease shall be reported immediately to an agent of the department.**

3. The permittee may exercise privileges provided in 3 CSR 10-9.353 **only** for species held *[under the big game hunting preserve permit]* **within breeding enclosure(s) contained within the big game hunting preserve.** Any breeding enclosure(s) contained within the big game hunting preserve shall meet standards specified in 3 CSR 10-9.220.

4. Any person taking or hunting ungulates on a big game hunting preserve shall have in his/her possession a valid licensed hunting preserve hunting permit. The permittee shall attach to the leg of each ungulate taken on the preserve a locking leg seal furnished by the department, for which the permittee shall pay ten dollars (\$10) per one hundred (100) seals. Any packaged or processed meat shall be labeled with the licensed hunting preserve permit number.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. This rule was previously filed as 3 CSR 10-10.765. Original rule filed Jan. 19, 1972, effective Feb. 1, 1972. For intervening history, please consult the Code of State Regulations. Emergency amendment filed Aug. 14, 2002, effective Aug. 24, 2002, expires Feb. 10, 2003. A proposed amendment covering this same material is published in this issue of the Missouri Register.

Under this heading will appear the text of proposed rules and changes. The notice of proposed rulemaking is required to contain an explanation of any new rule or any change in an existing rule and the reasons therefor. This is set out in the Purpose section with each rule. Also required is a citation to the legal authority to make rules. This appears following the text of the rule, after the word "Authority."

Entirely new rules are printed without any special symbolology under the heading of the proposed rule. If an existing rule is to be amended or rescinded, it will have a heading of proposed amendment or proposed rescission. Rules which are proposed to be amended will have new matter printed in boldface type and matter to be deleted printed in brackets.

An important function of the *Missouri Register* is to solicit and encourage public participation in the rulemaking process. The law provides that for every proposed rule, amendment or rescission there must be a notice that anyone may comment on the proposed action. This comment may take different forms.

If an agency is required by statute to hold a public hearing before making any new rules, then a Notice of Public Hearing will appear following the text of the rule. Hearing dates must be at least thirty (30) days after publication of the notice in the *Missouri Register*. If no hearing is planned or required, the agency must give a Notice to Submit Comments. This allows anyone to file statements in support of or in opposition to the proposed action with the agency within a specified time, no less than thirty (30) days after publication of the notice in the *Missouri Register*.

An agency may hold a public hearing on a rule even though not required by law to hold one. If an agency allows comments to be received following the hearing date, the close of comments date will be used as the beginning day in the ninety (90)-day-count necessary for the filing of the order of rulemaking.

If an agency decides to hold a public hearing after planning not to, it must withdraw the earlier notice and file a new notice of proposed rulemaking and schedule a hearing for a date not less than thirty (30) days from the date of publication of the new notice.

Proposed Amendment Text Reminder:

Boldface text indicates new matter.

[Bracketed text indicates matter being deleted.]

Title 2—DEPARTMENT OF AGRICULTURE
Division 110—Office of the Director
Chapter 1—Missouri Qualified Fuel Ethanol Producer
Incentive Program

PROPOSED AMENDMENT

2 CSR 110-1.010 Description of General Organization; Definitions; Requirements of Eligibility, Licensing, Bonding, and Application for Grants; Procedures for Grant Disbursements; Record Keeping Requirements, and Verification Procedures for the Missouri Qualified Fuel Ethanol Producer Incentive Program. The director is amending sections (2), (3), (4), (6) and (7).

PURPOSE: *This amendment requires that qualified fuel ethanol producers be at least fifty-one (51%) percent owned by agricultural pro-*

ducers actively engaged in agricultural production for commercial purposes, drops the requirement to submit grant applications fifteen (15) days before the first day of the month for which the grant is sought, extends the eligibility to receive grants beyond the original sixty (60)-month period, changes the grant period from calendar year to fiscal year, and changes the last month's allocation method if funding runs out in a fiscal year.

(2) Definitions.

(B) Missouri qualified fuel ethanol producer (MQFEP)—Any producer of fuel ethanol whose principal place of business and facility for the fermentation and distillation of fuel ethanol is located within the state of Missouri **and is at least fifty-one percent (51%) owned by agricultural producers actively engaged in agricultural production for commercial purposes**, and which has made formal application, posted a bond, and conformed to the requirements of this rule;

(D) **Actively engaged in agricultural production for commercial purposes—Producing cereal grain or cereal grain by-products in quantities sufficient to meet the delivery obligations of the ethanol production facility;**

[(D)] (E) Qualified fuel ethanol—Fuel ethanol produced by a MQFEP;

[(E)] (F) Missouri agricultural products—Cereal grain or cereal grain by-products produced in Missouri/./;

[(F)] (G) Department—The Missouri Department of Agriculture; and

[(G)] (H) Director—The director of the Missouri Department of Agriculture.

(3) Criteria for Classification as a Missouri Qualified Fuel Ethanol Producer. To be classified *[an]* as a MQFEP, a producer's principal place of business and facility for the fermentation and distillation of fuel ethanol must be located within the state of Missouri **and must be at least fifty-one percent (51%) owned by agricultural producers actively engaged in agricultural production for commercial purposes. In addition, [and] the producer must—**

(4) Procedures for Obtaining a Missouri Qualified Fuel Ethanol Producer License.

(B) The license application form must include:

1. The fuel ethanol producer's Bureau of Alcohol, Tobacco and Firearms Permit number;

2. The fuel ethanol producer's federal employer identification number or Social Security number;

3. If incorporated, a copy of the Certificate of Good Standing issued by the Missouri Secretary of State;

4. Complete name and address of the owner(s), or the names and addresses of the partners if the MQFEP is a partnership or the names and addresses of the principal officers if the MQFEP is a corporation **or limited liability company;**

5. **Certification by the MQFEP's board of directors that at least fifty-one percent (51%) of the owners produce cereal grain or cereal grain by-products in quantities sufficient to meet the delivery obligations of the ethanol production facility;**

[5./] 6. Diagram of the premises (location of the still, etc.);

[6./] 7. Description of the stills, including their capacity;

[7./] 8. The amount and source of the feedstocks to be used annually by the facility;

[8./] 9. The maximum number of gallons of ethanol to be produced annually by the facility; and

[9./] 10. The amount and source of funds invested in the facility.

(F) To assure renewal effective July 1, renewal license applications must be submitted and received by the department by *[April]* May 30.

(6) Grant Application Procedures.

[(C)] The completed grant application form must be received by the department fifteen (15) days before the first day of the month for which the grant is sought. Any information or documents submitted by an MQFEP to the department will be considered received by the department on the—

- 1. Postal mark date for items delivered by the United States Postal Service;*
- 2. Actual date received for items delivered by any other carrier service; or*
- 3. Actual date received for information received by facsimile within the Jefferson City, Missouri central office of the department.]*

[(D)] (C) The grant application form must include the:

1. Complete name and address of the owner(s), or names and addresses of the partners if the MQFEP is a partnership, or the names and addresses of the principal officers if the MQFEP is a corporation **or limited liability company**;
2. Address and location of all fuel ethanol plants owned by the MQFEP. Each MQFEP must include all Missouri plants and plants outside Missouri;
3. Production capacity of each fuel ethanol plant;
4. Estimated number of employees needed to reach the production capacity of each fuel ethanol plant;
5. Number of bushels of Missouri agricultural products used by the MQFEP in the production of fuel ethanol during the preceding quarter;
6. Total number of employees and the number of Missouri citizens employed by the MQFEP during the preceding quarter;
7. Number of bushels of Missouri agricultural products to be used by the MQFEP in the production of fuel ethanol during the month for which the grant is applied;
8. Number of gallons of qualified fuel ethanol the MQFEP expects to manufacture during the month for which the grant is applied;
9. Estimated production of fuel ethanol the MQFEP expects to manufacture during the current fiscal year (July 1 through June 30);
10. A copy of the qualified fuel ethanol producer license; and
11. Name and address of the surety company, the bond number and the amount of the bond posted under this rule.

(7) Grant Disbursement Procedures.

(B) A MQFEP shall be eligible for a monthly grant from the Missouri Qualified Fuel Ethanol Producer Incentive Fund, except that a MQFEP shall be eligible for the grant for a total of sixty (60) months **unless such producer during those sixty (60) months failed, due to a lack of appropriations, to receive the full amount from the fund for which they were eligible, in which case such producers shall continue to be eligible for up to twenty-four (24) additional months or until they have received the maximum amount of funding for which they were eligible during the original sixty (60)-month time period.**

(C) The amount of each monthly grant is determined by calculating the estimated gallons of qualified fuel ethanol to be produced from Missouri agricultural products for the succeeding calendar month, as certified by the department, and multiplying such figure by the per gallon credit established in section 142.028, RSMo and this rule. Each MQFEP shall be eligible for a total grant in any *[calendar]* fiscal year equal to twenty cents (20¢) per gallon for the first twelve and one-half (12.5) million gallons of qualified fuel ethanol produced from Missouri agricultural products in the *[calendar]* fiscal year, plus five cents (5¢) per gallon for the next twelve and one-half (12.5) million gallons of qualified fuel ethanol produced from Missouri agricultural products in the *[calendar]* fiscal year. All such qualified fuel ethanol produced by a MQFEP in excess of twenty-five (25) million gallons shall not be applied to the computation of a grant.

(D) Should available monies be insufficient to pay all MQFEPs the maximum monthly grant allowed by law, available monies will be apportioned so that each MQFEP shall receive a share of monies proportionate to *[the total amount requested by]* **recent production levels of all MQFEPs [for that month].**

AUTHORITY: section 142.028, RSMo [Supp. 1999] 2000. Original rule filed June 14, 1995, effective Dec. 30, 1995. Amended: Filed June 13, 2000, effective Dec. 30, 2000. Emergency amendment filed Aug. 14, 2002, effective Aug. 28, 2002, expires Feb. 23, 2003. Amended: Filed Aug. 14, 2002.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Agriculture, Ethanol Producer Incentive Program, PO Box 630, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 3—DEPARTMENT OF CONSERVATION Division 10—Conservation Commission Chapter 6—Wildlife Code: Sport Fishing: Seasons, Methods, Limits

PROPOSED AMENDMENT

3 CSR 10-6.505 Black Bass. The commission proposes to amend subsections (1)(A) and (D).

PURPOSE: This amendment clarifies the daily limit on black bass on the Meramec, Big and Bourbeuse rivers and their tributaries.

(1) Daily Limit: Six (6) in the aggregate, including smallmouth bass, largemouth bass, spotted bass and all black bass hybrids, except:

(A) The daily limit may include no more than one (1) smallmouth bass on the Big Piney River from Slabtown Access to Ross Access, *[the Big River from the Highway 21 bridge (near Washington State Park) to its confluence with the Meramec River,]* the Eleven Point River from Thomasville Access to the Arkansas line, the Gasconade River from the Highway Y bridge (Pulaski County) to the Highway D bridge (Phelps County), the Jacks Fork River from the Highway 17 bridge to the Highway 106 bridge, the James River from the Hooten Town bridge (Stone County Road A-90) to the Highway 13 bridge, *[the Meramec River from Scott's Ford to the railroad crossing at Bird's Nest, Mineral Fork from the Highway F bridge (Washington County) to its confluence with the Big River,]* Osage Fork of the Gasconade River and from the Skyline Drive bridge (near Orla in Laclede County) to its confluence with the Gasconade River and Tenmile Creek from the Highway B bridge (Carter County) to its confluence with Cane Creek.

(D) *[The daily limit for spotted (Kentucky) bass is twelve (12) in the Meramec, Big and Bourbeuse rivers and their tributaries.] On the Meramec, Big and Bourbeuse rivers and their tributaries, the daily and possession limit for black bass is twelve (12) in the aggregate and may include no more than six (6) largemouth bass and smallmouth bass in the aggregate, except that the daily limit may include no more than one (1) smallmouth bass on the Big River from the Highway 21 bridge (near Washington State Park) to its confluence with the Meramec River, the*

Meramec River from Scott's Ford to the railroad crossing at Bird's Nest, and Mineral Fork from the Highway F bridge (Washington County) to its confluence with the Big River.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. Original rule filed June 13, 1994, effective Jan. 1, 1995. For intervening history, please consult the Code of State Regulations. Amended: Filed July 31, 2002.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

PUBLIC COST: This proposed amendment may or may not cost the Department of Conservation more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment may or may not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 9—Wildlife Code: Confined Wildlife: Privileges,
Permits, Standards**

PROPOSED AMENDMENT

3 CSR 10-9.353 Privileges of Class I and Class II Wildlife Breeders. The commission is proposing to amend section (3) of this rule.

PURPOSE: This amendment addresses current disease risks associated with the interstate and intrastate transport of cervids that potentially pose a threat to the health of captive cervids and Missouri's wild deer herd, and establishes monitoring standards for captive operations under permit.

(3) Any cervid entering a Class I wildlife breeder operation that has ever been held in a state or province having a documented chronic wasting disease case shall be required to come from a herd comprised of animals that have been certified, through a United States Department of Agriculture approved or state-sponsored program, to be chronic wasting disease free for a minimum of three (3) years. **All elk, elk-hybrids, mule deer, and white-tailed deer introduced into a Class I wildlife breeder operation shall be tagged in a method allowing individual animal identification. All elk, elk-hybrids, mule deer, and white-tailed deer over twelve (12) months of age that die of any cause, within a Class I wildlife breeder operation, shall be tested for chronic wasting disease at a federally approved laboratory. By March 31, 2003, all Class I wildlife breeder operations shall be enrolled in Missouri's chronic wasting disease monitoring program. [Proof of such certification and a]** All permits issued by the state veterinarian's office allowing cervids to enter Missouri and all chronic wasting disease test results must be kept by the permittee and are subject to inspection by an agent of the department at any reasonable time. **All test results documenting a positive case of chronic wasting disease shall be reported immediately to an agent of the department.**

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. This rule was previously filed as 3 CSR 10-10.755. Original rule filed Aug. 18, 1970, effective Dec. 31, 1970. For intervening history, please consult the Code of State Regulations. Amended: Filed May 9, 2002. Emergency amendment filed Aug. 14, 2002, effective Aug. 24, 2002, expires Feb. 10, 2003. Amended: Filed Aug. 14, 2002.

**FISCAL NOTE
PUBLIC COST****I. RULE NUMBER**

Rule Number and Name:	3 CSR 10-9.353 Privileges of Class I and Class II Wildlife Breeders
Type of Rulemaking:	Proposed Amendment

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Department of Conservation	Unknown: The laboratory fees are currently paid by federal funds. The department could incur a fee of \$25 per sample if federal monies become unavailable.

III. WORKSHEET

For each sample submitted for testing by permitted operators:

Lab fees = \$25 x unknown quantity of samples.

IV. ASSUMPTIONS

The total costs may exceed \$500 depending on the number of animals requiring chronic wasting disease testing.

**FISCAL NOTE
PRIVATE COST**

I. RULE NUMBER

Rule Number and Name:	3 CSR 10-9.353 Privileges of Class I and Class II Wildlife Breeders
Type of Rulemaking:	Proposed Amendment

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by adoption of the proposed rule.	Classification by types of the business entities which likely be affected.	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities.
270 Class I Wildlife Breeders	N/A	Unknown: Breeders would incur the cost of veterinary services at an assumed rate of \$70 for any animal that dies.

III. WORKSHEET

For one head of elk, elk-hybrid, mule deer or white-tailed deer that dies within a permitted facility:

Sample Collection	\$70.00
Lab Fees	0.00
	\$70.00 x unknown quantity of animals

IV. ASSUMPTIONS

The total costs may or may not exceed \$500 depending on the number of animals requiring chronic wasting disease testing and the effort needed to tag individual animals for enrollment into Missouri's chronic wasting disease monitoring program.

Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 9—Wildlife Code: Confined Wildlife: Privileges,
Permits, Standards

PROPOSED AMENDMENT

3 CSR 10-9.565 Licensed Hunting Preserve: Privileges. The commission is proposing to amend subsection (1)(B) of this rule.

PURPOSE: This amendment addresses current disease risks associated with the interstate and intrastate transport of cervids that potentially pose a threat to the health of captive cervids and Missouri's wild deer herd, and establishes monitoring standards for captive operations under permit.

(1) Licensed hunting preserves are subject to inspection by an agent of the department at any reasonable time. Animal health standards and movement activities shall comply with all state and federal regulations. Any person holding a licensed hunting preserve permit may release on his/her licensed hunting preserve legally acquired pheasants, exotic partridges, quail and ungulates (hoofed animals) for shooting throughout the year, under the following conditions:

(B) Big Game Hunting Preserve.

1. The hunting preserve for ungulates shall be a single body of land not less than three hundred twenty (320) acres and no more than three thousand two hundred (3,200) acres in size, fenced so as to enclose and contain all released game and exclude all hoofed wildlife of the state from becoming a part of the enterprise and posted with signs specified by the department. Fence height shall meet standards specified in 3 CSR 10-9.220.

2. Any cervid entering a big game hunting preserve operation that has ever been held in a state or province having a documented chronic wasting disease case shall be required to come from a herd comprised of animals that have been certified, through a United States Department of Agriculture approved or state-sponsored program, to be chronic wasting disease free for a minimum of three (3) years. **All elk, elk-hybrids, mule deer, and white-tailed deer introduced into a big game hunting preserve operation shall be tagged in a method allowing individual animal identification. All elk, elk-hybrids, mule deer, and white-tailed deer over twelve (12) months of age that die of any cause, within a big game hunting preserve breeding enclosure, shall be tested for chronic wasting disease at a federally approved laboratory. By March 31, 2003, all big game hunting preserve breeding enclosures shall be enrolled in Missouri's chronic wasting disease monitoring program. Effective March 31, 2003, any big game hunting preserve that has introduced elk, elk-hybrids, mule deer, and/or white-tailed deer into the hunting area within the previous twelve (12) months shall, for each species listed, test one-hundred percent (100) of animals harvested for chronic wasting disease at a federally approved laboratory, up to a total of ten (10) animals in the aggregate. [Proof of such certification and a] All permits issued by the state veterinarian's office allowing cervids to enter Missouri and all chronic wasting disease test results must be kept by the permittee and are subject to inspection by an agent of the department at any reasonable time. All test results documenting a positive case of chronic wasting disease shall be reported immediately to an agent of the department.**

3. The permittee may exercise privileges provided in 3 CSR 10-9.353 **only for species held [under the big game hunting preserve permit] within breeding enclosure(s) contained within the big game hunting preserve.** Any breeding enclosure(s) contained within the big game hunting preserve shall meet standards specified in 3 CSR 10-9.220.

4. Any person taking or hunting ungulates on a big game hunting preserve shall have in his/her possession a valid licensed hunting preserve hunting permit. The permittee shall attach to the leg of each

ungulate taken on the preserve a locking leg seal furnished by the department, for which the permittee shall pay ten dollars (\$10) per one hundred (100) seals. Any packaged or processed meat shall be labeled with the licensed hunting preserve permit number.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. This rule was previously filed as 3 CSR 10-10.765. Original rule filed Jan. 19, 1972, effective Feb. 1, 1972. For intervening history, please consult the Code of State Regulations. Emergency amendment filed Aug. 14, 2002, effective Aug. 24, 2002, expires Feb. 10, 2003. Amended: Filed Aug. 14, 2002.

PUBLIC COST: This proposed amendment may or may not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment may or may not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**FISCAL NOTE
PUBLIC COST**

I. RULE NUMBER

Rule Number and Name:	3 CSR 10-9.565 Licensed Hunting Preserve: Privileges
Type of Rulemaking:	Proposed Amendment

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Department of Conservation	Unknown: The laboratory fees are currently paid by federal funds. The department could incur a fee of \$25 per sample if federal monies become unavailable.

III. WORKSHEET

For each sample submitted for testing by permitted operators:

Lab fees = \$25 x unknown quantity of samples.

IV. ASSUMPTIONS

The total costs may exceed \$500 depending on the number of animals requiring chronic wasting disease testing.

**FISCAL NOTE
PRIVATE COST****I. RULE NUMBER**

Rule Number and Name:	3 CSR 10-9.565 Licensed Hunting Preserve: Privileges
Type of Rulemaking:	Proposed Amendment

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by adoption of the proposed rule.	Classification by types of the business entities which likely be affected.	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities.
25 Big Game Hunting Preserves	N/A	Unknown: Breeders would incur the cost of veterinary services at an assumed rate of \$70 for any animal that dies, and for animals harvested from some herds.

III. WORKSHEET

For one head of elk, elk-hybrid, mule deer or white-tailed deer that dies within a permitted facility:

Sample Collection	\$70.00
Lab Fees	<u>0.00</u>
	\$70.00 x unknown quantity of animals

For one head of elk, elk-hybrid, mule deer or white-tailed deer that is harvested from a qualifying herd:

Sample Collection	\$70.00
Lab Fees	<u>0.00</u>
	\$70.00 x unknown quantity of animals

IV. ASSUMPTIONS

The total costs may or may not exceed \$500 depending on the number of animals requiring chronic wasting disease testing and the effort needed to tag individual animals for enrollment into Missouri's chronic wasting disease monitoring program.

Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 11—Wildlife Code: Special Regulations for
Department Areas

PROPOSED AMENDMENT

3 CSR 10-11.180 Hunting, General Provisions and Seasons. The commission proposes to amend sections (4), (5) and (16).

PURPOSE: This amendment modifies hunting provisions on department areas.

(4) Hunting is prohibited on the following department areas:

[(PP) Hinkson Woods Conservation Area]
[(QQ) (PP) Houston Forestry Office]
[(RR) (QQ) Hurley Radio Facility]
[(SS) (RR) Hurricane Deck Towersite]
[(TT) (SS) Jefferson City Radio Facility]
[(UU) (TT) Joplin Towersite]
[(VV) (UU) Juden Creek Conservation Area]
[(WW) (VV) LaPetite Gemme Prairie Conservation Area]
[(XX) (WW) Lebanon Forestry Office]
[(YY) (XX) Lebanon Towersite]
[(ZZ) (YY) Lichen Glade Conservation Area]
[(AAA) (ZZ) Limpin Community Lake]
[(BBB) (AAA) Lipton Conservation Area]
[(CCC) (BBB) Little Osage Prairie]
[(DDD) (CCC) Lower Taum Sauk Lake]
[(EEE) (DDD) Malta Bend Community Lake]
[(FFF) (EEE) Mansfield Shop]
[(GGG) (FFF) Maple Flats Access]
[(HHH) (GGG) Maple Woods Natural Area]
[(III) (HHH) Miller Community Lake]
[(JJJ) (III) Mint Spring Conservation Area]
[(KKK) (JJJ) Mount Vernon Prairie]
[(LLL)(KKK) Neosho District Office]
[(MMM) (LLL) New Madrid Forestry Office]
[(NNN) (MMM) Niawathe Prairie Conservation Area]
[(OOO) (NNN) Northeast Regional Office]
[(PPP) (OOO) Northwest Regional Office]
[(QQQ) (PPP) Onyx Cave Conservation Area]
[(RRR) (QQQ) Ozark Regional Office]
[(SSS) (RRR) Parma Woods Range and Training Center (south portion)]
[(TTT) (SSS) Pawhuska Prairie]
[(UUU) Pawnee Prairie Conservation Area]
(TTT) Pelican Island Natural Area
[(VVV) (UUU) Perry County Community Lake]
[(WWW) (VVV) Perryville District Headquarters]
[(XXX) (WWW) Pickle Springs Natural Area]
[(YYY) (XXX) Pilot Knob Towersite]
[(ZZZ) (YYY) Plad Towersite]
[(AAAA) (ZZZ) Port Hudson Lake Conservation Area]
[(BBBB) (AAAA) Powder Valley Conservation Nature Center]
[(CCCC) (BBBB) Ray County Community Lake]
[(DDDD) (CCCC) Riverwoods Conservation Area]
[(EEEE) (DDDD) Rockwoods Reservation]
[(FFFF) (EEEE) Rockwoods Towersite]
[(GGGG) (FFFF) Rush Creek Conservation Area]
[(HHHH) (GGGG) Saeger Woods Conservation Area]
[(IIII) (HHHH) Salem Maintenance Center]
[(JJJJ) (IIII) Schnabel Woods]
[(KKKK) (JJJJ) F. O. and Leda J. Sears Memorial Wildlife Area]
[(LLLL) (KKKK) Sedalia Conservation Service Center]
[(MMMM) (LLLL) Shawnee Mac Lakes Conservation Area]
[(NNNN) (MMMM) Shepherd of the Hills Fish Hatchery]
[(OOOO) (NNNN) Sims Valley Community Lake]

[(PPPP) (OOOO) Southeast Regional Office]
[(QQQQ) (PPPP) Southwest Regional Office]
[(RRRR) (QQQQ) Springfield Conservation Nature Center]
[(SSSS) (RRRR) Julian Steyermark Woods Conservation Area]
[(TTTT) (SSSS) Thirtyfour Corner Blue Hole]
[(UUUU) (TTTT) Tower Rock Natural Area]
[(VVVV) (UUUU) Tri-City Community Lake]
[(WWWW) (VVVV) Twin Borrow Pits Conservation Area]
[(XXXX) (WWWW) Tywappity Community Lake]
[(YYYY) (XXXX) Ulman Towersite]
[(ZZZZ) (YYYY) Upper Mississippi Conservation Area (Clarksville Refuge)]
[(AAAA) (ZZZZ) Vandalia Community Lake]
[(BBBB) (AAAA) Wah-Kon-Tah Prairie (portion south of Highway 82)]
[(CCCC) (BBBB) Wah-Sha-She Prairie]
[(DDDD) (CCCC) Walnut Woods Conservation Area]
[(EEEE) (DDDD) Warrenton Forestry Office]
[(FFFF) (EEEE) Warrenton Towersite]
[(GGGG) (FFFF) West Central Regional Office]
[(HHHH) (GGGG) White Alloe Creek Wildcat Conservation Area]
[(IIII) (HHHH) Wildcat Glade Natural Area]
[(JJJJ) (IIII) Walter Woods Conservation Area]
[(KKKK) (JJJJ) Mark Youngdahl Urban Conservation Area]

(5) Firearms firing single projectiles are prohibited on the following department areas:

(E) Gerhild and Graham Brown Memorial Wildlife Area
[(E) (F) Catawissa Conservation Area]
[(F) (G) Charity Access]
[(G) (H) Crooked Creek Conservation Area]
[(H) (I) Cuivre Island Conservation Area (mainland portion)]
[(I) (J) Diamond Grove Prairie Conservation Area]
[(J) (K) Dorris Creek Prairie Conservation Area]
[(K) (L) Dorsett Hill Prairie Conservation Area]
[(L) (M) Arthur Dupree Memorial Conservation Area]
[(M) (N) Eagle Bluffs Conservation Area]
[(N) (O) Peter A. Eck Conservation Area]
[(O) (P) Earthquake Hollow Conservation Area]
[(P) (Q) Ferguson-Herold Conservation Area]
[(Q) (R) Fort Leonard Wood Tower Site]
[(R) (S) Larry R. Gale Access]
[(S) (T) Grand Bluffs Conservation Area]
[(T) (U) Horse Creek Prairie Conservation Area]
[(U) (V) Anthony and Beatrice Kendzora Conservation Area]
[(V) (W) Liberty Bend Conservation Area]
[(W) (X) Little Bean Marsh Conservation Area]
[(X) (Y) Little Dixie Lake Conservation Area]
[(Y) (Z) Little Prairie Conservation Area]
[(Z) (AA) Little River Conservation Area]
[(AA) (BB) Caroline Sheridan Logan Memorial Wildlife Area]
[(BB) (CC) Lone Jack Lake Conservation Area]
[(CC) (DD) Lost Valley Fish Hatchery]
[(DD) (EE) Alice Ahart Mansfield Memorial Conservation Area]
[(EE) (FF) Marais Temps Clair Conservation Area]
[(FF) (GG) Mo-No-I Prairie Conservation Area]
[(GG) (HH) Mon-Shon Prairie Conservation Area]
[(HH) (II) Pacific Palisades Conservation Area]
[(II) (JJ) Guy B. Park Conservation Area]
[(JJ) (KK) Parma Woods Range and Training Center (north portion)]
[(KK) (LL) Reform Conservation Area]
[(LL) (MM) Rocky Barrens Conservation Area]
[(MM) (NN) Dr. O. E. and Eloise Sloan Conservation Area]
[(NN) (OO) Sunbridge Hills Conservation Area]
[(OO) (PP) Tipton Ford Access]
[(PP) (QQ) Treaty Line Prairie Conservation Area]

[[QQ]] (RR) Valley View Glades Natural Area
 [[RR]] (SS) Archie and Gracie VanDerhoef Memorial State Forest
 [[SS]] (TT) Victoria Glades Conservation Area
 [[TT]] (UU) Vonaventure Memorial Forest and Wildlife Area
 [[UU]] (VV) George O. White State Forest Nursery
 [[VV]] (WW) Wolf Bayou Conservation Area
 [[WW]] (XX) Young Conservation Area

(16) On August A. Busch Memorial Conservation Area:

(A) Rabbits may be hunted only with shotgun *[from sunrise to 4:30 p.m.]* from January 1 through February 15. The daily limit is four (4) rabbits.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-4.115. Original rule filed April 30, 2001, effective Sept. 30, 2001. Amended: Filed May 9, 2002. Amended: Filed July 31, 2002.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 3—DEPARTMENT OF CONSERVATION Division 10—Conservation Commission Chapter 11—Wildlife Code: Special Regulations for Department Areas

PROPOSED AMENDMENT

3 CSR 10-11.182 Deer Hunting. The commission proposes to amend section (2) of this rule.

PURPOSE: This amendment will allow archery deer hunting only on Hinkson Woods Conservation Area.

(2) Deer may be hunted, under statewide seasons and limits, only by archery methods on the following department areas:

(SS) **Hinkson Woods Conservation Area**
 [[SS]] (TT) Hite Prairie Conservation Area
 [[TT]] (UU) Hornersville Swamp Conservation Area
 [[UU]] (VV) Horse Creek Prairie Conservation Area
 [[VV]] (WW) Howell Island Conservation Area
 [[WW]] (XX) Hyer Woods Conservation Area
 [[XX]] (YY) Indigo Prairie Conservation Area
 [[YY]] (ZZ) Jamesport Community Lake
 [[ZZ]] (AAA) Anthony and Beatrice Kendzora Conservation Area
 [[AAA]] (BBB) Kessler Memorial Wildlife Area
 [[BBB]] (CCC) Wilford V. and Anna C. Kneib Memorial Conservation Area
 [[CCC]] (DDD) Lake Girardeau Conservation Area
 [[DDD]] (EEE) B. K. Leach Memorial Conservation Area
 [[EEE]] (FFF) Little Bean Marsh Conservation Area
 [[FFF]] (GGG) Little Dixie Lake Conservation Area
 [[GGG]] (HHH) Little Prairie Conservation Area
 [[HHH]] (III) Little River Conservation Area
 [[III]] (JJJ) Caroline Sheridan Logan Memorial Wildlife Area
 [[JJJ]] (KKK) Lon Sanders Canyon Conservation Area
 [[KKK]] (LLL) Lone Jack Lake Conservation Area

[[LLL]] (MMM) Lost Valley Fish Hatchery
 [[MMM]] (NNN) Alice Ahart Mansfield Conservation Area
 [[NNN]] (OOO) Merrill Horse Access
 [[OOO]] (PPP) Mockingbird Hill Access
 [[PPP]] (QQQ) Monegaw Prairie Conservation Area
 [[QQQ]] (RRR) Mo-No-I Prairie Conservation Area
 [[RRR]] (SSS) Mon-Shon Prairie Conservation Area
 [[SSS]] (TTT) Montrose Conservation Area
 [[TTT]] (UUU) Mound View Access
 [[UUU]] (VVV) Nodaway Valley Conservation Area
 [[VVV]] (WWW) Old Town Access
 [[WWW]] (XXX) Pacific Palisades Conservation Area
 [[XXX]] (YYY) Guy B. Park Conservation Area
 [[YYY]] (ZZZ) Parma Woods Range and Training Center (north portion)
 [[ZZZ]] (AAAA) Pilot Knob Conservation Area
 [[AAAA]] (BBBB) Platte Falls Conservation Area
 [[BBBB]] (CCCC) Prairie Slough Conservation Area
 [[CCCC]] (DDDD) J. Thad Ray Memorial Wildlife Area
 [[DDDD]] (EEEE) Redwing Prairie Conservation Area
 [[EEEE]] (FFFF) Reform Conservation Area
 [[FFFF]] (GGGG) Rocky Barrens Conservation Area
 [[GGGG]] (HHHH) Rocky Mount Towersite
 [[HHHH]] (IIII) Schell-Osage Conservation Area
 [[IIII]] (JJJJ) Ted Shanks Conservation Area
 [[JJJJ]] (KKKK) Sky Prairie Conservation Area
 [[KKKK]] (LLLL) Dr. O.E. and Eloise Sloan Conservation Area
 [[LLLL]] (MMMM) Sni-A-Bar Conservation Area
 [[MMMM]] (NNNN) Sterling Price Community Lake
 [[NNNN]] (OOOO) Sunbridge Hills Conservation Area
 [[OOOO]] (PPPP) Swift Ditch Access
 [[PPPP]] (QQQQ) Ten Mile Pond Conservation Area
 [[QQQQ]] (RRRR) Tipton Ford Access
 [[RRRR]] (SSSS) Treaty Line Prairie Conservation Area
 [[SSSS]] (TTTT) Upper Mississippi Conservation Area (Bay Island Unit)
 [[TTTT]] (UUUU) Upper Mississippi Conservation Area (Dresser Island Unit)
 [[UUUU]] (VVVV) Valley View Glades Natural Area
 [[VVVV]] (WWWW) Archie and Gracie Vanderhoef Memorial State Forest
 [[WWWW]] (XXXX) Victoria Glades Conservation Area
 [[XXXX]] (YYYY) Vonaventure Memorial Forest and Wildlife Area
 [[YYYY]] (ZZZZ) Warbler Woods Conservation Area
 [[ZZZZ]] (AAAAA) Henry Jackson Waters and C. B. Moss Memorial Wildlife Area
 [[AAAAA]] (BBBBB) George O. White State Forest Nursery
 [[BBBBB]] (CCCCC) Wolf Bayou Conservation Area
 [[CCCCC]] (DDDDD) Yellow Creek Conservation Area
 [[DDDDD]] (EEEEEE) Young Conservation Area

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-4.115. Original rule filed April 30, 2001, effective Sept. 30, 2001. Amended: Filed Aug. 30, 2001, effective Jan. 30, 2002. Amended: Filed May 9, 2002. Amended: Filed July 31, 2002.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Deputy Director, Department of Conservation, PO Box 180,

Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 12—Wildlife Code: Special Regulations for
Areas Owned by Other Entities**

PROPOSED AMENDMENT

3 CSR 10-12.135 Fishing, Methods. The department proposes to amend section (7) and add a new section (8) and renumber the remaining sections.

PURPOSE: This amendment changes the fishing methods allowed on certain St. Louis City and St. Louis County lakes.

(7) Only flies, artificial lures and soft plastic baits (unscented) may be used from November 1 through January 31 on the following lakes:

- (A) Kirkwood (Walker Lake)/./
- (B) Overland (Wild Acres Park Lake)/./
- (C) St. Louis City (Jefferson Lake) [and/
- (D) St. Louis County (Tilles Park Lake)/./

(8) From November 1 through January 31, not more than one (1) pole and line may be used by one (1) person at any time and the use of natural or scented baits as chum is prohibited on the following lakes:

- (A) Ballwin (Vlasis Park Lake)
- (B) Ferguson (January-Wabash Park Lake)
- (C) Kirkwood (Walker Lake)
- (D) Overland (Wild Acres Park Lake)
- (E) St. Louis City (Boathouse Lake, Jefferson Lake, O'Fallon Park Lake)
- (F) St. Louis County (Suson Park Lakes No. 1, 2, 3, Tilles Park Lake)

[[8]] (9) On Mingo National Wildlife Refuge, other fish as designated in 3 CSR 10-6.550 may be taken for personal use by nets and seines from March 15 through September 30. All gear shall be plainly labeled on a durable material with the name and address of the person using the equipment.

[[9]] (10) Netting or trapping live bait is prohibited, except that on Concordia (Edwin A. Pape Lake), and Jackson County (Lake Jacomo, Prairie Lee Lake) gizzard shad may be taken with dip net or throw net.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-4.116. Original rule filed April 30, 2001, effective Sept. 30, 2001. Amended: Filed Aug. 30, 2001, effective Jan. 30, 2002. Amended: Filed May 9, 2002. Amended: Filed July 31, 2002.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be

received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 12—Wildlife Code: Special Regulations for
Areas Owned by Other Entities**

PROPOSED AMENDMENT

3 CSR 10-12.140 Fishing, Daily and Possession Limits. The commission proposes to add two sections (3) and (14) and renumber the remaining sections.

PURPOSE: This increases the daily limit on black bass at Lincoln Lake in Cuivre River State Park and establishes special trout fishing regulations on certain St. Louis City and St. Louis County lakes.

(3) The daily and possession limit for black bass is twelve (12) in the aggregate on Cuivre River State Park (Lincoln Lake).

[[3]] (4) The daily limit for bullhead catfish is ten (10) on the following lakes:

- (A) Ballwin (New Ballwin Lake, Vlasis Park Lake)
- (B) Ferguson (January-Wabash Lake)
- (C) St. Louis City (Benton Park Lake, Boathouse Lake, Clifton Heights Park Lake, Fairgrounds Park Lake, Horseshoe Lake, Hyde Park Lake, Jefferson Lake, Lafayette Park Lake, North Riverfront Park Lake, O'Fallon Park Lake, Willmore Park North Lake, Willmore Park South Lake)
- (D) St. Louis County (Bellefontaine Park Lake, Queeny Park Lake, Suson Park Lakes No. 1, 2 and 3, Tilles Park Lake, Veteran's Memorial Park Lake)

[[5]] (5) The daily limit for carp is four (4) on the following lakes:

- (A) Ballwin (New Ballwin Lake, Vlasis Park Lake)
- (B) Ferguson (January-Wabash Lake)
- (C) St. Louis City (Benton Park Lake, Boathouse Lake, Clifton Heights Park Lake, Fairgrounds Park Lake, Horseshoe Lake, Hyde Park Lake, Jefferson Lake, Lafayette Park Lake, North Riverfront Park Lake, O'Fallon Park Lake, Willmore Park North Lake, Willmore Park South Lake)
- (D) St. Louis County (Bellefontaine Park Lake, Queeny Park Lake, Suson Park Lakes No. 1, 2 and 3, Tilles Park Lake, Veteran's Memorial Park Lake)

[[5]] (6) The daily limit for channel catfish, blue catfish and flathead catfish in the aggregate is four (4).

[[6]] (7) The daily limit for crappie is fifteen (15) on the following lakes:

- (A) Ballwin (New Ballwin Lake, Vlasis Park Lake)
- (B) Ferguson (January-Wabash Lake)
- (C) Kirksville (Hazel Creek Lake)
- (D) St. Louis City (Benton Park Lake, Boathouse Lake, Clifton Heights Park Lake, Fairgrounds Park Lake, Horseshoe Lake, Hyde Park Lake, Jefferson Lake, Lafayette Park Lake, North Riverfront Park Lake, O'Fallon Park Lake, Willmore Park North Lake, Willmore Park South Lake)
- (E) St. Louis County (Bee Tree Lake, Bellefontaine Park Lake, Creve Coeur Lake, Queeny Park Lake, Simpson Lake, Spanish Lake, Sunfish Lake, Suson Park Lakes No. 1, 2 and 3, Tilles Park Lake, Veteran's Memorial Park Lake)
- (F) Springfield City Utilities (Fellows Lake)

[[7]] (8) The daily limit for white bass, striped bass and their hybrids in the aggregate is four (4) on Cameron (Reservoir No. 3) and St. Louis County (Creve Coeur Lake).

[[8]] (9) The daily limit for gizzard shad for bait on Jackson County (Lake Jacomo, Prairie Lee Lake) and Concordia (Edwin A. Pape Lake) is one hundred fifty (150).

[[9]] (10) The daily limit for bluegill is five (5) on University of Missouri (McCredie Lake).

[[10]] (11) The daily limit for bluegill is ten (10) on Columbia (Stephens Lake).

[[11]] (12) The daily limit for other fish as designated in 3 CSR 10-6.550 is twenty (20) in the aggregate, except on the following lakes where the daily limit in the aggregate is ten (10), and except for those fish included in (3), (4), (8), (9) and (10) of this rule:

- (A) Ballwin (New Ballwin Lake, Vlasik Park Lake)
- (B) Bridgeton (Kiwaniis Lake)
- (C) Ferguson (January-Wabash Lake)
- (D) Kirkwood (Walker Lake)
- (E) Mineral Area College (Quarry Pond)
- (F) Overland (Wild Acres Park Lake)
- (G) Potosi (Roger Bilderback Lake)
- (H) St. Louis City (Benton Park Lake, Boathouse Lake, Clifton Heights Park Lake, Fairgrounds Park Lake, Horseshoe Lake, Hyde Park Lake, Jefferson Lake, Lafayette Park Lake, North Riverfront Park Lake, O'Fallon Park Lake, Willmore Park North Lake, Willmore Park South Lake)
- (I) St. Louis County (Bee Tree Lake, Bellefontaine Park Lake, Creve Coeur Lake, Queeny Park Lake, Simpson Lake, Spanish Lake, Sunfish Lake, Suson Park Lakes No. 1, 2 and 3, Tilles Park Lake, Veteran's Memorial Park Lake)
- (J) Wentzville (Community Club Lake)

[[12]] (13) Trout must be returned to the water unharmed immediately after being caught from November 1 through January 31 on Kirkwood (Walker Lake), Overland (Wild Acres Park Lake), St. Louis City (Jefferson Lake) and St. Louis County (Tilles Park Lake). Trout may not be possessed on these waters during this season.

(14) No person shall continue to fish for any species after having five (5) trout in possession from November 1 through January 31 on the following lakes:

- (A) Ballwin (Vlasik Park Lake)
- (B) Ferguson (January-Wabash Park Lake)
- (C) St. Louis City (Boathouse Lake and O'Fallon Park Lake)
- (D) St. Louis City (Suson Park Lakes No. 1, 2, and 3)

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-4.116. Original rule filed April 30, 2001, effective Sept. 30, 2001. Amended: Filed Aug. 30, 2001, effective Jan. 30, 2002. Amended: Filed May 9, 2002. Amended: Filed July 31, 2002.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 3—DEPARTMENT OF CONSERVATION Division 10—Conservation Commission Chapter 12—Wildlife Code: Special Regulations for Areas Owned by Other Entities

PROPOSED AMENDMENT

3 CSR 10-12.145 Fishing, Length Limits. The commission proposes to add subsection (2)(F).

PURPOSE: This amendment liberalizes black bass fishing on Cuivre River State Park.

(2) Black bass more than twelve inches (12") but less than fifteen inches (15") total length must be returned to the water unharmed immediately after being caught, except as follows:

(F) There is no length limit on black bass on Cuivre River State Park (Lincoln Lake).

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-4.116. Original rule filed April 30, 2001, effective Sept. 30, 2001. Amended: Filed Aug. 30, 2001, effective Jan. 30, 2002. Amended: Filed May 9, 2002. Amended: Filed July 31, 2002.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 8—DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS Division 10—Division of Employment Security Chapter 3—Unemployment Insurance

PROPOSED AMENDMENT

8 CSR 10-3.010 Registration and Claims in General. The division adds new sections (3) and (4), rennumbers and revises section (5), and rennumbers the remaining sections.

PURPOSE: This proposed amendment provides clarity to the filing of claims for unemployment benefits under section 288.040, RSMo.

(3) A valid initial, renewed, reopened or weekly claim for benefits for purposes of section 288.040, RSMo, is one filed with the division in the prescribed manner from an originating point within the geographical area of a state or contiguous country participating under the Interstate Benefit Payment Plan.

(4) A valid initial or weekly claim for benefits for purposes of section 288.040, RSMo, may include a claim filed under a Social Security number not assigned by the Social Security Administration to the claimant providing the claimant's failure to file under his/her correct number was not a willful misrepresentation or willful failure to disclose his/her correct number.

[(3)] (5) A valid claim for benefits, for purposes of section 288.040, RSMo, [is one filed with the division in the prescribed manner, which] may include electronic methods, properly completed, signed by the claimant if necessary, filed within twenty-eight (28) calendar days after the last day of the most recent week claimed or the last day of the week in which an initial, renewed or reopened claim was filed and for which all reporting requirements have been met.

[(4)] (6) In order to claim waiting week credit or benefits for a week the claimant must file an otherwise valid claim within twenty-eight (28) calendar days after the end of the week being claimed. The twenty-eight (28)/-calendar day period may be extended for good cause. If good cause is not found, the claimant's claim for that week shall not constitute a valid claim for benefits under section 288.040, RSMo.

[(5)] (7) If during a benefit year a claimant does not file a claim for benefits, within twenty-eight (28) calendar days after the end of the last week claimed (or the end of the last week in which an initial, renewed or reopened claim was filed), the claimant must file a renewed claim if the claimant has had intervening employment or a reopened claim if the claimant has not. The twenty-eight (28)/-calendar day period may be extended for good cause. If good cause is not found, the claimant's claims for benefits for the period from the most recent week claimed (prior to the renewing/reopening of the claim) through the week ending just prior to the renewing or reopening of the claim shall not constitute valid claims for benefits under section 288.040, RSMo.

[(6)] (8) A benefit week under this rule begins on Sunday and ends on Saturday, except that a claimant who has been filing claims under 8 CSR 10-3.020 or 8 CSR 10-3.040 shall use the same type of week/-period for further claims in the same series.

[(7)] (9) A week of unemployment beginning in a benefit year shall be treated as having occurred wholly in that benefit year.

[(8)] (10) A claimant must report to an employment office as defined under section 288.030(16), RSMo, unless the claimant is ill or employed, or for good cause shown.

[(9)] (11) A claimant shall be held ineligible to receive benefits if the claimant fails to comply with this regulation and will remain ineligible until the noncompliance has ceased.

[(10)] (12) For the purpose of 8 CSR 10-3, good cause shall be only those circumstances which are beyond the reasonable control of the claimant and then only if the claimant acts as soon as practical.

AUTHORITY: sections 288.040, 288.070, 288.220.5, RSMo [Supp. 1997] 2000. For intervening history, please consult the *Code of State Regulations*. Amended: Filed July 16, 2002.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Division of Employment Security, Attn: Gracia Y. Backer, Director, PO Box 59, Jefferson City, MO 65104-0059. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 9—DEPARTMENT OF MENTAL HEALTH
Division 10—Director, Department of Mental Health
Chapter 7—Core Rules for Psychiatric and Substance
Abuse Programs**

PROPOSED AMENDMENT

9 CSR 10-7.020 Rights, Responsibilities, and Grievances. The department proposes to add a new section (9).

PURPOSE: This amendment updates and clarifies the requirements for reporting the death of a client.

(9) All certified agencies must report to the Department of Mental Health (DMH) within twenty-four (24) hours the death of any client receiving services. DMH report form 9719 shall be completed and faxed to the appropriate division director.

AUTHORITY: sections 630.050 and 630.055, RSMo 2000. Original rule filed Feb. 28, 2001, effective Oct. 30, 2001. Amended: Filed Dec. 12, 2001, effective June 30, 2002. Amended: Filed July 29, 2002.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment by writing to Dewey Price, Mental Health Manager, Division of Alcohol and Drug Abuse, Department of Mental Health, PO Box 687, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 9—DEPARTMENT OF MENTAL HEALTH
Division 30—Certification Standards
Chapter 3—Alcohol and Drug Abuse Programs**

PROPOSED AMENDMENT

9 CSR 30-3.100 Service Delivery Process and Documentation. The department proposes to add a new section (8), and renumber remaining sections accordingly.

PURPOSE: This amendment provides exclusionary criteria for those programs certified under 9 CSR 30-3.120 through 9 CSR 30-3.199.

(8) Exclusionary Criteria. In order to be eligible for substance abuse treatment services, a person must not have a condition or behaviors that are beyond the capacity of the program to safely and effectively manage.

(A) Acute physical illness, uncontrolled psychiatric disorders, severe cognitive impairment, and physical aggression are examples of conditions that may disqualify persons from admission if such conditions preclude active participation in treatment or threaten the safety of staff and other persons in treatment.

(B) However, a person shall not be denied admission solely because of taking psychotropic medications as prescribed or ordered, including methadone and other opioid agonists.

(C) Persons who are denied admission must be given information about treatment options that are appropriate for their conditions.

[(8)] (9) Transportation and Supports. Transportation shall be provided or arranged by the program to promote participation in treatment and rehabilitation services and to access other resources and supports in the community. Supports that are funded by the department (such as housing or child care) shall meet contractual and other applicable regulatory requirements.

[(9)] (10) Program Schedule. A current schedule of groups and other structured program activities shall be maintained.

(A) Each person shall actively participate in the program schedule, with individualized scheduling and services based on the person's treatment goals, level of care, and physical, mental, and emotional status.

(B) Group sessions shall address therapeutic issues relevant to the needs of persons served. Some of these scheduled group sessions may not be applicable to or appropriate for all persons and should be attended by each individual on a designated or selective basis. Examples of designated or selective groups may include parenting, budgeting, anger management, domestic violence, co-occurring disorders, relapse intervention track, etc.

[(10)] (11) Therapeutic Setting. Services shall be provided in a therapeutic, alcohol- and drug-free setting.

(A) Productive, meaningful, age-appropriate alternatives to substance use shall be encouraged for each individual.

(B) Any incident of client use of alcohol or drugs shall be documented in the client's record.

(C) An incident of possession or use of alcohol or drugs may result in termination from the program, particularly in residential settings.

(D) Repeated incidents of possession or use shall result in termination from the program.

(E) The program shall not allow gambling or wagering on its premises or as part of its activities.

[(11)] (12) Drug Testing. The program should conduct tests to determine and detect a client's use of alcohol and drugs. The program shall identify its goals, policies and procedures regarding drug testing.

(A) The program shall implement written policies and procedures regarding the collection and handling of specimens. Urine or other specimens shall be collected in a manner that communicates respect for persons served while taking reasonable steps to prevent falsification of samples.

(B) A laboratory which analyzes specimens shall meet all applicable state and federal laws and regulations.

(C) The program shall implement written policies and procedures outlining the interpretation of results and actions to be taken when the presence of alcohol and/or drugs has been determined.

(D) Test results shall be addressed with persons served once the results are available, in order to intervene with substance use behavior. Test results and actions taken shall be documented in the client's record.

[(12)] (13) A qualified diagnostician as defined under section (7) of this rule shall approve the treatment plan.

[(13)] (14) Reviewing Treatment Goals and Outcomes. The individual treatment plan shall be reviewed on a periodic basis and shall accurately reflect the person's needs and goals. Persons who receive services funded by the department or through a service network authorized by the department shall participate in continuing reviews of their progress and outcomes and updates of their plans within the following time frames:

(A) Ten (10) days for residential treatment and community-based primary treatment;

(B) Thirty (30) days for intensive outpatient rehabilitation;

(C) Ninety (90) days for other levels of care.

[(14)] (15) Clinical Utilization Review. Services are subject to clinical utilization review when funded by the department or provided through a service network authorized by the department. Clinical utilization review shall promote the delivery of services that are necessary, appropriate, likely to benefit the client, and provided in accordance with admission criteria and service definitions.

(A) The department shall have authority in all matters subject to clinical utilization review including client eligibility and service definition, authorization, and limitations.

(B) Any service matrix or package that is developed by the department or its authorized representative shall include input from service providers.

(C) Clinical utilization review shall include, but is not limited to, the following situations regarding an individual client:

1. Length of stay beyond any specified maximum time period;

2. Service authorization beyond any specified maximum amount or cost;

3. Admission of adolescents into adult programs; and

4. Unusual patterns of service or utilization, based on periodic data analysis and norms compiled by the division.

(D) Clinical utilization review may be required of any client's situation and needs prior to initial or continued service authorization.

(E) The need for clinical utilization review may be identified and initiated by a provider, an individual client, or by the department.

(F) Clinical utilization review may include, but is not limited to, the following situations regarding a program:

1. Unusual patterns of service or utilization, based on periodic data analysis and norms compiled by the division regarding the utilization of particular services and total service costs; and

2. Compliance issues related to certification standards or contract requirements that can reasonably be monitored through clinical review.

[(15)] (16) Credentialed Staff. Clinical utilization review shall be conducted by credentialed staff with relevant professional experience.

[(16)] (17) Procedures for Clinical Utilization Review. Procedures shall be made available to all affected programs and services.

(A) Reviews shall be completed in a timely manner not to exceed three (3) working days from the time a request is received.

(B) To the extent feasible, a review request from a provider shall be made prior to the delivery of services.

1. No request made more than ninety (90) days after service provision shall be accepted or authorized by the department.

2. The provider is fully responsible for sending all pertinent information and documentation related to a clinical utilization review request.

(C) It is the responsibility of the provider to request a review regarding the appropriateness of admission and treatment services, if a provider considers a client to meet some but not all admission criteria or if any reasonable question may exist or be raised about client eligibility for services.

(D) The department may require or initiate clinical utilization review of any situation related to client eligibility.

(E) Service authorization for a client may be continued, increased, reduced, or discontinued in accordance with a clinical utilization review decision.

(F) When a review determines that services have been inappropriate, unnecessary, or delivered to a client who does not meet eligibility and admission criteria, all service authorization for the client may be discontinued and any other necessary action may be taken.

(G) The department shall establish procedures for the review and appeal of an adverse clinical utilization review action. The provider may deliver services to the client during a review or appeal period, with the understanding that such services may not be authorized or funded. A provider or client may—

1. Request further review of an adverse action. The request must be in writing, identify the clinical factors warranting further

review, and be received or postmarked within fifteen (15) days of the initial clinical utilization review action; and

2. Appeal any clinical utilization review decision to discontinue all service authorization for the client.

A. The appeal must be in writing, identify the reason for the appeal, and be received or postmarked within thirty (30) days of receiving notice that service authorization has been discontinued.

B. The department shall designate an Appeal Panel to make a final determination in the matter. The panel shall include one (1) or more representatives who are not staff members of the department and shall include at least one (1) member who is a substance abuse treatment provider.

C. Unless otherwise determined by the panel, its final decision shall be based on information available at the time of the initial clinical utilization review action.

AUTHORITY: sections 630.050, 630.655 and 631.010, RSMo 2000. Original rule filed Feb. 28, 2001, effective Oct. 30, 2001. Amended: Filed July 29, 2002.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment by writing to Dewey Price, Mental Health Manager, Division of Alcohol and Drug Abuse, Department of Mental Health, PO Box 687, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 9—DEPARTMENT OF MENTAL HEALTH Division 30—Certification Standards Chapter 3—Alcohol and Drug Abuse Programs

PROPOSED AMENDMENT

9 CSR 30-3.130 Outpatient Treatment. The department proposes to amend subsection (4)(C), paragraph (4)(C)1., add a new paragraph (4)(C)2., and renumber remaining paragraphs accordingly.

PURPOSE: This amendment reduces the number of required hours of participation at the community-based treatment level of care.

(4) Community-Based Primary Treatment. This level of care is the most structured, intensive, and short-term service delivery option. Structured services shall be offered at least five (5) days per week and should approximate the service intensity of residential treatment.

(C) The program shall offer *[at least forty (40) hours of service per] an intensive array of services each week.*

1. Each person shall *[be expected to]* participate in at least *[forty (40)] twenty-five (25)* hours of service per week, unless contraindicated by the individual's medical, emotional, legal, and/or family circumstances, **and unless residential support is provided.**

2. **Where residential support is provided, each person shall be offered additional structured therapeutic activities in accordance with residential treatment standards.**

[2.] 3. Each person shall participate in at least one (1) hour per week of individual counseling. Additional individual counseling shall be provided, in accordance with the individual's needs.

[3.] 4. For community-based primary treatment that is funded by the department or provided through a service network authorized by the department, day treatment may be specified as the applicable service for this level of care.

AUTHORITY: sections 630.050, 630.655 and 631.010, RSMo 2000. Original rule filed Feb. 28, 2001, effective Oct. 30, 2001. Amended: Filed July 29, 2002.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment by writing to Dewey Price, Mental Health Manager, Division of Alcohol and Drug Abuse, Department of Mental Health, PO Box 687, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 9—DEPARTMENT OF MENTAL HEALTH Division 30—Certification Standards Chapter 3—Alcohol and Drug Abuse Program

PROPOSED AMENDMENT

9 CSR 30-3.192 Specialized Program for Adolescents. The department proposes to amend section (12).

PURPOSE: This amendment is to ensure gender-appropriate staffing patterns in adolescent residential support facilities.

(12) If the adolescent residential support facility serves a coed population, the staffing pattern shall include at least one (1) female and one (1) male staff member *[at]* any time residents are present. **If residential support is provided for girls only, a female staff member must be present at all times. If residential support is provided for boys only, a male staff member must be present at all times.**

AUTHORITY: sections 630.050, 630.655 and 631.010, RSMo 2000. Original rule filed Feb. 28, 2001, effective Oct. 30, 2001. Amended: Filed April 15, 2002. Amended: Filed July 29, 2002.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment by writing to Dewey Price, Mental Health Manager, Division of Alcohol and Drug Abuse, Department of Mental Health, PO Box 687, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 9—DEPARTMENT OF MENTAL HEALTH Division 30—Certification Standards Chapter 4—Mental Health Programs

PROPOSED AMENDMENT

9 CSR 30-4.010 Definitions. The department proposes to amend subsection (2)(G).

PURPOSE: This amendment will require physicians to be board certified or board eligible in psychiatry, and will recognize experience in substance abuse treatment as qualifying for a psychiatric nurse, and will allow a master's degree in psychiatric nursing to substitute for experience.

(2) Unless the context clearly requires otherwise, the following terms as used in this chapter shall mean—

(G) Mental health professionals, one (1) of the following:

1. A professional counselor licensed under Missouri state law to practice counseling;

2. An individual possessing a master's or doctorate degree in counseling, psychology, family therapy or related field, with one (1) year's experience, under supervision, in treating problems related to mental illness;

3. A pastoral counselor with a degree equivalent to the Master of Science Degree in Divinity from an accredited program with specialized training in mental health services. One (1) year of experience, under supervision, in treating problems related to mental illness may be substituted for specialized training;

[4. A physician licensed under Missouri state law to practice medicine or osteopathy and with specialized training in mental health services. One (1) year of experience, under supervision, in treating problems related to mental illness may be substituted for specialized training;]

[5.] 4. A [psychiatrist that is a licensed physician, who in addition,] **licensed physician who is board certified or board eligible in psychiatry** has successfully completed a training program in psychiatry approved by the American Medical Association, the American Osteopathic Association or other training program certified as equivalent by the department;

[6.] 5. A psychologist licensed under Missouri state law to practice psychology;

[7.] 6. A psychiatric nurse [that is a registered professional nurse who is licensed], **a registered professional nurse licensed under Chapter 335, RSMo [and who has had] with at least two (2) years of experience [as a registered professional nurse in providing psychiatric nursing treatment to individuals suffering from mental disorders] in a psychiatric or substance abuse treatment setting, or a master's degree in psychiatric nursing; and**

[8.] 7. A social worker with a master's degree in social work from an accredited program and with specialized training in mental health services. One (1) year of experience, under supervision, may be substituted for training;

AUTHORITY: sections 630.050 and 630.655, RSMo 2000. Original rule filed June 14, 1985, effective Dec. 1, 1985. For intervening history, please consult the Code of State Regulations. Amended: Filed July 31, 2002.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Mental Health, Attn: Julie Carel, Division of Comprehensive Psychiatric Services, PO Box 687, Jefferson City, MO 65102. To be considered, comments must be in writing and must be received within thirty (30) days after publication in the Missouri Register. No public hearing is scheduled.

Title 9—DEPARTMENT OF MENTAL HEALTH

Division 30—Certification Standards

Chapter 4—Mental Health Programs

PROPOSED AMENDMENT

9 CSR 30-4.030 Certification Standards Definitions. The department proposes to amend subsections (2)(C) and (HH).

PURPOSE: This amendment will require physicians to be board certified or board eligible in psychiatry, and will recognize experience in substance abuse treatment as qualifying for a psychiatric nurse, and will allow a master's degree in psychiatric nursing to substitute for experience. The amendment will also require an advanced practice nurse to have specialized training in mental health.

(2) As used in 9 CSR 30-4.031–9 CSR 30-4.047, unless the context clearly indicates otherwise, the following terms shall mean:

(C) Advance practice nurse—as set forth in section 335.011, RSMo, a nurse who has had education beyond the basic nursing education and is certified by a nationally recognized professional organization as having a nursing specialty, or who meets criteria for advanced practice nurses established by the board of nursing[;] **and has specialized training in mental health;**

(HH) Mental health professional—any of the following:

[1. A physician licensed under Missouri law to practice medicine or osteopathy and with training in mental health services or one (1) year of experience, under supervision, in treating problems related to mental illness or specialized training;]

[2.] 1. A [psychiatrist, a physician licensed under Missouri law who has] **licensed physician who is board certified or board eligible in psychiatry** successfully completed a training program in psychiatry approved by the American Medical Association, the American Osteopathic Association or other training program identified as equivalent by the department;

[3.] 2. A psychologist licensed under Missouri law to practice psychology with specialized training in mental health services;

[4.] 3. A professional counselor licensed under Missouri law to practice counseling and with specialized training in mental health services;

[5.] 4. A clinical social worker licensed under Missouri law with a master's degree in social work from an accredited program and with specialized training in mental health services;

[6.] 5. A psychiatric nurse, a registered professional nurse licensed under Chapter 335, RSMo with at least two (2) years of experience in a psychiatric **or substance abuse treatment** setting or a master's degree in psychiatric nursing;

[7.] 6. An individual possessing a master's or doctorate degree in counseling and guidance, rehabilitation counseling and guidance, rehabilitation counseling, vocational counseling, psychology, pastoral counseling or family therapy or related field who has successfully completed a practicum or has one (1) year of experience under the supervision of a mental health professional;

[8.] 7. An occupational therapist certified by the American Occupational Therapy Certification Board, registered in Missouri, has a bachelor's degree and has completed a practicum in a psychiatric setting or has one (1) year of experience in a psychiatric setting, or has a master's degree and has completed either a practicum in a psychiatric setting or has one (1) year of experience in a psychiatric setting;

[9.] 8. An advanced practice nurse—as set forth in section 335.011, RSMo, a nurse who has had education beyond the basic nursing education and is certified by a nationally recognized professional organization as having a nursing specialty **in mental health**, or who meets criteria for advanced practice nurses established by the board of nursing[;] **and has specialized training in mental health; and**

[10.] 9. A psychiatric pharmacist as defined in 9 CSR 30-4.030;

AUTHORITY: sections 630.050, 630.055 and 632.050, RSMo 2000. Original rule filed Jan. 19, 1989, effective April 15, 1989. For intervening history, please consult the Code of State Regulations. Amended: Filed July 31, 2002.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Mental Health, Attn: Julie Carel, Division of Comprehensive Psychiatric Services, PO Box 687, Jefferson City, MO 65102. To be considered, comments must be in writing and must be received within thirty (30) days after publication in the Missouri Register. No public hearing is scheduled.

**Title 9—DEPARTMENT OF MENTAL HEALTH
Division 30—Certification Standards
Chapter 4—Mental Health Programs**

PROPOSED AMENDMENT

9 CSR 30-4.034 Personnel and Staff Development. The department proposes to amend section (2).

PURPOSE: This amendment requires a psychiatrist rather than a physician to perform evaluations, consultations and to sign the treatment plan. The amendment also allows an advanced practice nurse to substitute for a psychiatrist in certain situations, finally, the amendment allows experience in psychiatric and substance abuse treatment to be substituted as equivalent experience.

(2) Only qualified professionals shall provide community psychiatric rehabilitation (CPR) services. Qualified professionals for each service shall include:

(A) For intake/annual evaluations, an evaluation team consisting of, at least, a *[physician] psychiatrist*, one (1) other mental health professional, as defined in 9 CSR 30-4.030, and including, for the annual evaluation, the community support worker assigned to each client;/. **Advanced practice nurse may substitute for the psychiatrist if that individual is providing medication management services to the client;**

(B) For brief evaluation, an evaluation team consisting of at least, a *[physician] psychiatrist* and one (1) other mental health professional, as defined in 9 CSR 30-4.030;

(C) For treatment planning, a team consisting of at least a *[physician] psychiatrist*, one (1) other mental health professional as defined in 9 CSR 30-4.030 and the client's community support worker;

(E) For medication services, a *[physician,] psychiatrist*, psychiatric pharmacist or advanced practice nurse as defined in 9 CSR 30-4.030;

(H) For community support:

1. A mental health professional or an individual with a bachelor's degree in social work, psychology, nursing or a related field, supervised by a psychologist, professional counselor, clinical social worker, psychiatric nurse or individual with an equivalent degree as defined in 9 CSR 30-4.030. Equivalent experience **in psychiatric and/or substance abuse treatment** may be substituted on the basis of one (1) year of experience for each year of required educational training; or

2. A community support assistant with a high school diploma or equivalent and applicable training required by the department, supervised by a qualified mental health professional as defined in 9 CSR 30-4.030. A community support assistant may receive assignments and direction from a community support worker; and

(I) For consultation services, a *[physician] psychiatrist*, a psychiatric pharmacist or advanced practice nurse as defined in 9 CSR 30-4.030.

AUTHORITY: sections 630.050, 630.655 and 632.050, RSMo 2000. Original rule filed Jan. 19, 1989, effective April 15, 1989. For intervening history, please consult the Code of State Regulations. Amended: Filed July 31, 2002.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Mental Health, Attn: Julie Carel, Division of Comprehensive Psychiatric Services, PO Box 687, Jefferson City, MO 65102. To be considered, comments must be in writing and must be received within thirty (30) days after publication in the Missouri Register. No public hearing is scheduled.

**Title 9—DEPARTMENT OF MENTAL HEALTH
Division 30—Certification Standards
Chapter 4—Mental Health Programs**

PROPOSED AMENDMENT

9 CSR 30-4.035 Client Records of a Community Psychiatric Rehabilitation Program. The department proposes to amend sections (3), (5), and (14).

PURPOSE: This amendment requires a psychiatrist rather than a physician to perform consultations and to sign the treatment plan. The amendment also allows an advanced practice nurse to perform consultations under special circumstances.

(3) At intake, each CPR provider shall compile in a format acceptable to the department, and file in the client record an evaluation which shall include:

(J) Consultation between a *[physician] psychiatrist* and the psychologist or other mental health professional(s) conducting the psychosocial/clinical evaluation addressing the client's need and the appropriateness of outpatient rehabilitation. Consultation may be performed by an advanced practice nurse if that individual is providing medication management services to the client; and

(5) A *[physician] psychiatrist* shall approve the treatment plan. A licensed psychologist may approve the treatment plan only in instances when the client is currently receiving no prescribed medications and the clinical recommendations do not include a need for prescribed medications. An advanced practice nurse may approve the treatment plan if that individual is providing medication management services to the client.

(14) CPR program staff shall conduct or arrange for periodic evaluations for each client. Clients in the rehabilitation and intensive levels of care shall have annual evaluations completed. The evaluation shall be in a format approved by the department and shall include:

(K) Consultation between a *[physician]* psychiatrist and/or psychologist and the mental health professional(s) conducting the psychosocial/clinical evaluation addressing the client's need and appropriateness for continued outpatient rehabilitation. **Consultation may be performed by an advanced practice nurse if that individual is providing medication management services to the client.**

AUTHORITY: section 630.655, RSMo 2000. Original rule filed Jan. 19, 1989, effective April 15, 1989. For intervening history, please consult the Code of State Regulations. Amended: Filed July 31, 2002.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Mental Health, Attn: Julie Carel, Division of Comprehensive Psychiatric Services, PO Box 687, Jefferson City, MO 65102. To be considered, comments must be in writing and must be received within thirty (30) days after publication in the Missouri Register. No public hearing is scheduled.

Title 9—DEPARTMENT OF MENTAL HEALTH

Division 30—Certification Standards

Chapter 4—Mental Health Programs

PROPOSED AMENDMENT

9 CSR 30-4.039 Service Provision. The department proposes to amend section (2).

PURPOSE: This amendment requires a psychiatrist rather than a physician to provide medication services.

(2) The CPR provider shall provide a community psychiatric rehabilitation program, either directly or through contractual agreement, to include, at a minimum, the following core services: intake/annual evaluation, as designated, crisis intervention and resolution, medication services, medication administration, community support and psychosocial rehabilitation.

(A) The CPR provider shall provide a timely access to and reasonable level of services for those clients found to be eligible for treatment, according to the admission criteria set forth in 9 CSR 30-4.042.

1. Intake/annual evaluation—CPR provider staff shall complete, or arrange to have completed, all annual evaluations within thirty (30) days following the anniversary date of the client's intake evaluation or last annual evaluation.

2. Crisis intervention and resolution—shall be available upon demand on a twenty-four (24)-hour basis.

3. Medication services—*[a physician,]* psychiatrist or an advanced practice nurse shall see all clients requiring medication within ten (10) working days or sooner if clinically indicated of need for service.

4. Community support—the CPR provider shall assign all clients requiring community support services to a community support worker's caseload no later than ten (10) working days, or sooner if clinically indicated, of eligibility determination. The worker shall conduct an initial face-to-face contact as clinically appropriate but no later than five (5) working days of receiving the assignment.

5. Psychosocial rehabilitation—the CPR provider shall admit all clients requiring psychosocial rehabilitation services to a psychoso-

cial rehabilitation program if adequate program capacity allows, within twenty (20) working days or sooner if clinically indicated of eligibility determination.

6. Transportation—the CPR provider shall provide or arrange for transportation for clients as deemed clinically and programmatically necessary to attend the psychosocial rehabilitation program and to receive medication services.

AUTHORITY: sections 630.050, 630.655 and 632.050, RSMo 2000. Original rule filed Jan. 19, 1989, effective April 15, 1989. For intervening history, please consult the Code of State Regulations. Amended: Filed July 31, 2002.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Mental Health, Attn: Julie Carel, Division of Comprehensive Psychiatric Services, PO Box 687, Jefferson City, MO 65102. To be considered, comments must be in writing and must be received within thirty (30) days after publication in the Missouri Register. No public hearing is scheduled.

Title 9—DEPARTMENT OF MENTAL HEALTH

Division 30—Certification Standards

Chapter 4—Mental Health Programs

PROPOSED AMENDMENT

9 CSR 30-4.041 Medication Procedures at Community Psychiatric Rehabilitation Programs. The department proposes to amend sections (3) and (5) and make a section (6) out of material that was formerly in section (5).

PURPOSE: This amendment requires a psychiatrist rather than a physician to review and evaluate medications and corrects a reference to incorporated by reference material.

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. Therefore, the material which is so incorporated is on file with the agency who filed this rule, and with the Office of the Secretary of State. Any interested person may view this material at either agency's headquarters or the same will be made available at the Office of the Secretary of State at a cost not to exceed actual cost of copy reproduction. The entire text of the rule is printed here. This note refers only to the incorporated by reference material.

(3) A *[physician]* psychiatrist shall review and evaluate medications at least every six (6) months, except as specified in the client's individualized treatment plan. Face-to-face contact with the client and review of relevant documentation in the client record, such as progress notes and treatment plan reviews, shall constitute the review and evaluation.

(5) The following *[publications and]* forms are included herein:

[[A)] United States Pharmacopeia Standards;]

[[B)] (A) Form number MO 650-6250; and

[[C)] (B) Form number MO 650-1485.

(6) The following publication is incorporated by reference:

(A) United States Pharmacopeia Standards.

AUTHORITY: section 630.655, RSMo 2000. Original rule filed Jan. 19, 1989, effective April 15, 1989. Amended: Filed Dec. 13, 1994, effective July 30, 1995. Amended: Filed Feb. 28, 2001, effective Oct. 30, 2001. Amended: Filed July 31, 2002.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Mental Health, Attn: Julie Carel, Division of Comprehensive Psychiatric Services, PO Box 687, Jefferson City, MO 65102. To be considered, comments must be in writing and must be received within thirty (30) days after publication in the Missouri Register. No public hearing is scheduled.

**Title 9—DEPARTMENT OF MENTAL HEALTH
Division 30—Certification Standards
Chapter 4—Mental Health Programs**

PROPOSED AMENDMENT

9 CSR 30-4.042 Admission Criteria. The department proposes to amend section (4).

PURPOSE: This amendment requires a psychiatrist rather than a physician to certify diagnoses.

(4) The criteria for admission to community psychiatric rehabilitation program services shall include:

(B) Diagnosis. A [physician] **psychiatrist** or licensed psychologist shall certify a primary *Diagnostic and Statistical Manual* (DSM) diagnosis or *International Classification of Diseases, Ninth Revision with Clinical Modification* (ICD-9-CM), using the current edition of the manual. This diagnosis may coexist with other psychiatric diagnoses in Axis I or other areas.

1. Schizophrenia.
 - A. Disorganized.
 - (I) DSM IV code: 295.1X
 - (II) ICD-9-CM code: 295.1X
 - B. Catatonic.
 - (I) DSM IV code: 295.2X
 - (II) ICD-9-CM code: 295.2X
 - C. Paranoid.
 - (I) DSM IV code: 295.3X
 - (II) ICD-9-CM code: 295.3X
 - D. Schizophreniform.
 - (I) DSM IV code: 295.4X
 - (II) ICD-9-CM code: 295.4X
 - E. Residual.
 - (I) DSM IV code: 295.6X
 - (II) ICD-9-CM code: 295.6X
 - F. Schizoaffective.
 - (I) DSM IV code: 295.7X
 - (II) ICD-9-CM code: 295.7X
 - G. Undifferentiated.
 - (I) DSM IV code: 295.9X
 - (II) ICD-9-CM code: 295.9X
2. Delusional disorder.
 - A. DSM IV code: 297.1X
 - B. ICD-9-CM code: 297.1X

3. Bipolar I disorders.
 - A. Single manic episode.
 - (I) DSM IV code: 296.0X
 - (II) ICD-9-CM code: 296.0X
 - B. Most recent episode manic.
 - (I) DSM IV code: 296.4X
 - (II) ICD-9-CM code: 296.4X
 - C. Most recent episode depressed.
 - (I) DSM IV code: 296.5X
 - (II) ICD-9-CM code: 296.5X
 - D. Most recent episode mixed.
 - (I) DSM IV code: 296.6X
 - (II) ICD-9-CM code: 296.6X
4. Bipolar II disorders.
 - A. DSM IV code: 296.89
 - B. ICD-9-CM code: 296.89
5. Psychotic disorders NOS.
 - A. DSM IV code: 298.9
 - B. ICD-9-CM code: 298.9
6. Major depressive disorder-recurrent.
 - A. DSM IV code: 296.3X
 - B. ICD-9-CM code: 296.3X
7. Obsessive-Compulsive Disorder.
 - A. DSM IV code: 300.30
 - B. ICD-9-CM code: 300.3
8. Post Traumatic Stress Disorder.
 - A. DSM IV code: 309.81
 - B. ICD-9-CM code: 309.81
9. Borderline Personality Disorder.
 - A. DSM IV code: 301.83
 - B. ICD-9-CM code: 301.83
10. Anxiety Disorders.
 - A. Generalized Anxiety Disorder.
 - (I) DSM IV code: 300.02
 - (II) ICD-9-CM code: 300.02
 - B. Panic Disorder with Agoraphobia.
 - (I) DSM IV code: 300.21
 - (II) ICD-9-CM code: 300.21
 - C. Panic Disorder without Agoraphobia.
 - (I) DSM IV code: 300.01
 - (II) ICD-9-CM code: 300.01
 - D. Agoraphobia without Panic Disorder.
 - (I) DSM IV code: 300.22
 - (II) ICD-9-CM code: 300.22
 - E. Social Phobia.
 - (I) DSM IV code: 300.23
 - (II) ICD-9-CM code: 300.23

AUTHORITY: sections 630.050, 630.655 and 632.050, RSMo 2000. Original rule filed Jan. 19, 1989, effective April 15, 1989. For intervening history, please consult the Code of State Regulations. Amended: Filed July 31, 2002.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Mental Health, Attn: Julie Carel, Division of Comprehensive Psychiatric Services, PO Box 687, Jefferson City, MO 65102. To be considered, comments must be in writing and must be received within thirty (30) days after publication in the Missouri Register. No public hearing is scheduled.

Title 9—DEPARTMENT OF MENTAL HEALTH
Division 30—Certification Standards
Chapter 4—Mental Health Programs

PROPOSED AMENDMENT

9 CSR 30-4.043 Treatment Provided by Community Psychiatric Rehabilitation Programs. The department proposes to amend subsection (2)(C).

PURPOSE: This amendment requires a psychiatrist rather than a physician to provide consultation services.

(2) The CPR provider shall provide the following community psychiatric rehabilitation services to eligible clients, as prescribed by individualized treatment plans:

(C) Consultation services, a service provided by a [physician/psychiatrist, an advanced practice nurse, or a psychiatric pharmacist and consisting of a review of a client's current medical situation either through consultation with one (1) staff person or in team discussions related to the specific client. The intent is to provide direction to treatment. This is an optional service which may not substitute for supervision nor for face-to-face intervention with clients;

AUTHORITY: sections 630.050, 630.655 and 632.050, RSMo 2000. Original rule filed Jan. 19, 1989, effective April 15, 1989. For intervening history, please consult the *Code of State Regulations*. Amended: Filed July 31, 2002.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Mental Health, Attn: Julie Carel, Division of Comprehensive Psychiatric Services, PO Box 687, Jefferson City, MO 65102. To be considered, comments must be in writing and must be received within thirty (30) days after publication in the *Missouri Register*. No public hearing is scheduled.

Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 10—Air Conservation Commission
Chapter 5—Air Quality Standards and Air Pollution Control Rules Specific to the St. Louis Metropolitan Area

PROPOSED AMENDMENT

10 CSR 10-5.170 Control of Odors From Processing of Animal Matter. The commission proposes to amend section (4). If the commission adopts this rule action, it will be the department's intention not to submit this rule action to the U.S. Environmental Protection Agency for inclusion in the Missouri State Implementation Plan because there is no equivalent federal rule.

PURPOSE: The purpose of this amendment is to eliminate confusion in the rule and allow its consistent enforcement. The evidence supporting this proposed rulemaking, per section 536.016, RSMo is the December 4, 2001 telephone record identifying the erroneous reference callout. This evidence is available for viewing at the Missouri Department of Natural Resources' Air Pollution Control Program at the address and phone number listed in the Notice of Public Hearing at the end of this rule.

(4) Enclosure of Building May Be Required. Whenever dust, fumes, gases, mist, odorous matter, vapors or any combination thereof escape from a building used for processing of animal matter in a manner and amount as to cause a violation of *10 CSR 10-5.060/10 CSR 10-5.160*, the director may order that the building(s) in which processing, handling and storage are done be tightly closed and ventilated in a way that all air and gases and air or gas-borne material leaving the building are treated by incineration or other effective means for removal or destruction of odorous matter or other air contaminants before discharge into the open air.

AUTHORITY: section 643.050, RSMo [1994] 2000. Original rule filed March 14, 1967, effective March 24, 1967. Amended: Filed July 19, 2002.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing on this proposed amendment will begin at 9:00 a.m., October 24, 2002. The public hearing will be held at the Traveler's Inn Christian Bed and Breakfast, Ballroom, 301 W. Washington, Kirksville, Missouri. Opportunity to be heard at the hearing shall be afforded any interested person. Written request to be heard should be submitted at least seven (7) days prior to the hearing to Roger D. Randolph, Director, Missouri Department of Natural Resources' Air Pollution Control Program, 205 Jefferson Street, PO Box 176, Jefferson City, MO 65102-0176, (573) 751-4817. Interested persons, whether or not heard, may submit a written statement of their views until 5:00 p.m., October 31, 2002. Written comments shall be sent to Chief, Planning Section, Missouri Department of Natural Resources' Air Pollution Control Program, 205 Jefferson Street, PO Box 176, Jefferson City, MO 65102-0176.

Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 10—Air Conservation Commission
Chapter 6—Air Quality Standards, Definitions, Sampling and Reference Methods and Air Pollution Control Regulations for the Entire State of Missouri

PROPOSED AMENDMENT

10 CSR 10-6.065 Operating Permits. The commission proposes to amend subsections (1)(D), (6)(C), and (6)(E). If the commission adopts this rule action, it will be submitted to the U.S. Environmental Protection Agency to replace the current rule in the Missouri State Implementation Plan.

PURPOSE: This amendment addresses deficiencies in Missouri's Title V program identified by the Sierra Club and the U.S. Environmental Protection Agency (EPA). Failure to adopt these amendments may cause the EPA to withdraw Missouri's Title V program. The evidence supporting the need for this proposed rulemaking, per section 536.016, RSMo, is a *Federal Register* Notice of Deficiency, the Sierra Club letter to the EPA dated March 9, 2001 and the Missouri Department of Natural Resources' letter to the EPA dated October 12, 2001. This evidence is available for viewing at the Missouri Department of Natural Resources' Air Pollution Control Program at the address and phone number listed in the Notice of Public Hearing at the end of this rule.

(1) Definitions.

(D) Part 70 installations are installations to which the Part 70 operating permit requirements of this rule apply, in accordance with the following criteria:

1. They emit or have the potential to emit, in the aggregate, ten (10) tons per year (tpy) or more of any hazardous air pollutant, other than radionuclides, or twenty-five (25) tpy or more of any combination of these hazardous air pollutants or such lesser quantity as the administrator may establish by rule. Notwithstanding the preceding sentence, emissions from any oil or gas exploration or production well (with its associated equipment) and emissions from any pipeline compressor or pump station shall not be aggregated with emissions from other similar units, whether or not these units are in a contiguous area or under common control, to determine whether these units or stations are subject installations. For sources of radionuclides, the criteria shall be established by the administrator;

2. They emit or have the potential to emit one hundred (100) tpy or more of any air pollutant, including all fugitive air pollutants. The term "air pollutant" means an air pollution agent or combination of such agents, including any physical, chemical, biological, radioactive (including source material, special nuclear material, and byproduct material) substance or matter which is emitted into or otherwise enters the ambient air. Such term includes any precursors to the formation of any air pollutant, to the extent the staff director has identified such precursor(s) for the particular purpose for which the term "air pollutant" is used. The fugitive emissions of an installation shall not be considered unless the installation belongs to one of the source categories listed in 10 CSR 10-6.020(3)(B), Table 2;

3. *[They emit or have the potential to emit, in ozone nonattainment areas, one hundred (100) tpy or more of volatile organic compounds or oxides of nitrogen in areas classified as marginal or moderate, fifty (50) tpy or more in areas classified as serious, twenty-five (25) tpy or more in areas classified as severe, and ten (10) tpy or more in areas classified as extreme. The references in this paragraph to one hundred (100), fifty (50), twenty-five (25) and ten (10) tpy of nitrogen oxides shall not apply to any source the administrator has made a finding, under section 182(f)(1) or (2) of the Act, that requirements under section 182(f) of the Act do not apply;]* They are located in nonattainment areas or ozone transport regions.

A. For ozone nonattainment areas, sources with the potential to emit one hundred (100) tpy or more of volatile organic compounds or oxides of nitrogen in areas classified as "marginal" or "moderate," fifty (50) tpy or more in areas classified as "serious," twenty-five (25) tpy or more in areas classified as "severe," and ten (10) tpy or more in areas classified as "extreme"; except that the references in this paragraph to one hundred (100), fifty (50), twenty-five (25) and ten (10) tpy of nitrogen oxides shall not apply with respect to any source for which the administrator has made a finding, under section 182(f)(1) or (2) of the Act, that requirements under section 182(f) of the Act do not apply;

B. For ozone transport regions established pursuant to section 184 of the Act, sources with the potential to emit fifty (50) tpy or more of volatile organic compounds;

C. For carbon monoxide nonattainment areas that are classified as "serious," and in which stationary sources contribute significantly to carbon monoxide levels as determined under rules issued by the administrator, sources with the potential to emit fifty (50) tpy or more of carbon monoxide; and

D. For particulate matter less than ten (10) micrometers (PM_{10}) nonattainment areas classified as "serious," sources with the potential to emit seventy (70) tpy or more of PM_{10} ;

4. They are affected sources under Title IV of the 1990 Act;

5. They are solid waste incinerators subject to section 129(e) of the Act;

6. Any installation in a source category designated by the administrator as a Part 70 source pursuant to 40 CFR 70.3; and

7. Installations that would be Part 70 sources strictly due to the following criteria are not subject to Part 70 source requirements until

the administrator subjects this installation to these requirements by rule:

A. They are subject to a standard, limitation or other requirement under section 111 of the Act, including area sources; or

B. They are subject to a standard or other requirement under section 112 of the Act, except that a source, including an area source, is not required to obtain a permit solely because it is subject to rules or requirements under section 112(r) of the Act.

(6) Part 70 Operating Permits.

(C) Permit Content.

1. Standard permit requirements. Every operating permit issued pursuant to this section (6) shall contain all requirements applicable to the installation at the time of issuance.

A. Emissions limitations and standards. The permit shall specify emissions limitations or standards applicable to the installation, and shall include those operational requirements or limitations as necessary to assure compliance with all applicable requirements.

(I) The permit shall specify and reference the origin of and authority for each term or condition and shall identify any difference in form as compared to the applicable requirement upon which the term or condition is based.

(II) The permit shall state that, where an applicable requirement is more stringent than an applicable requirement of rules promulgated under Title IV of the Act, both provisions shall be incorporated into the permit and shall be enforceable by the administrator.

(III) If the implementation plan or other applicable requirement allows an installation to comply through an alternative emissions limit or means of compliance and the applicant requests that this alternative limit or means of compliance be specified in the permit, the permitting authority may include this alternative emissions limit or means of compliance in an installation's permit upon demonstrating that it is quantifiable, accountable, enforceable and based on replicable procedures.

B. Permit duration. The permitting authority shall issue permits for five (5) years. The permit term shall commence on the date of issuance or, when applicable, the date of validation.

C. Monitoring and related record keeping and reporting requirements.

(I) The permit shall contain the following requirements with respect to monitoring:

(a) All emissions monitoring and analysis procedures or test methods required under the applicable requirements, including any procedures and methods promulgated by the administrator pursuant to sections 114(a)(3) or 504(b) of the Act;

(b) Where the applicable requirement does not require periodic testing or instrumental or noninstrumental monitoring (which may consist of record keeping designed to serve as monitoring), then periodic monitoring sufficient to yield reliable data for the relevant time period that are representative of the installation's compliance with the permit, as reported pursuant to part (6)(C)1.C.(III) of this rule. These monitoring requirements shall assure the use of terms, test methods, units, averaging periods and other statistical conventions consistent with the applicable requirement. Record keeping provisions may be sufficient to meet the requirements of this paragraph; and

(c) As necessary, requirements concerning the use, maintenance, and where appropriate, installation of monitoring equipment or methods.

(II) With respect to record keeping, the permit shall incorporate all applicable record keeping requirements and require, where applicable, the following:

(a) Records of required monitoring information that include the following:

I. The date, place as defined in the permit, and time of sampling or measurements;

II. The date(s) analyses were performed;

III. The company or entity that performed the analyses;

IV. The analytical techniques or methods used;

V. The results of these analyses; and

VI. The operating conditions as existing at the time of sampling or measurement;

(b) Retention of records.

I. Retention of records of all required monitoring data and support information for a period of at least five (5) years from the date of the monitoring sample, measurement, report or application. Support information includes all calibration and maintenance records and all original strip-chart recordings when used for continuous monitoring instrumentation, and copies of all reports required by the permit. Where appropriate, the permit may specify that records may be maintained in computerized form.

II. Affected sources under Title IV of the Act will have a three (3)-year monitoring data record retention period as required in 40 CFR part 75.

(III) With respect to reporting, the permit shall incorporate all applicable reporting requirements and require the following:

(a) A permit issued under these rules shall require the permittee to submit a report of any required monitoring every six (6) months. To the extent possible, the schedule for submission of these reports shall be timed to coincide with other periodic reports required by the permit, including the permittee's annual compliance certification;

(b) Each report submitted under subpart (6)(C)1.C.(III)(a) of this rule shall identify any deviations from permit requirement, since the previous report, that have been monitored by the monitoring systems required under the permit, and any deviations from the monitoring, record keeping and reporting requirements of the permit;

(c) In addition to semiannual monitoring reports, each permittee shall be required to submit supplemental reports as indicated here. All reports of deviations shall identify the cause or probable cause of the deviations and any corrective actions or preventative measures taken.

I. Notice of any deviation resulting from an emergency (or upset) condition as defined in paragraph (6)(C)7. of this rule shall be submitted to the permitting authority either verbally or in writing within two (2) working days after the date on which the emission limitation is exceeded due to the emergency, if the permittee wishes to assert an affirmative defense. The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that indicate an emergency occurred and the permittee can identify the cause(s) of the emergency. The permitted facility must show that it was operated properly at the time and that during the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or requirements in the permit. The notice must contain a description of the emergency, steps taken to mitigate emissions, and the corrective actions taken.

II. Any deviation that poses an imminent and substantial danger to public health, safety or the environment shall be reported as soon as practicable.

III. Any other deviations identified in the permit as requiring more frequent reporting than the permittee's semiannual report shall be reported on the schedule specified in the permit;

(d) Every report submitted shall be certified by a responsible official, except that, if a report of a deviation must be submitted within ten (10) days after the deviation, the report may be submitted without a certification if the report is resubmitted with an appropriate certification within ten (10) days after that, together with any corrected or supplemental information required concerning the deviation; and

(e) A permittee may request confidential treatment of information submitted in any report of deviation.

D. Risk management plans. If the installation is required to develop and register a risk management plan pursuant to section 112(r) of the Act, the permit is required to specify only that the permittee will verify that they have complied with the requirement to register such a plan. The contents of the risk management plan itself need not be incorporated as a permit term.

E. Emissions exceeding Title IV allowances. Where applicable, the permit shall prohibit emissions exceeding any allowances that the installation lawfully holds under Title IV of the Act or rules promulgated thereunder.

(I) No permit revision shall be required for increases in emissions that are authorized by allowances acquired pursuant to the acid rain program if the increases do not require a permit revision under any other applicable requirement.

(II) No limit shall be placed on the number of allowances that may be held by an installation. The installation may not use these allowances, however, as a defense for noncompliance with any other applicable requirement.

(III) Any of these allowances shall be accounted for according to procedures established in rules promulgated under Title IV of the Act.

F. Severability clause. The permit shall include a severability clause to ensure the continued validity of uncontested permit conditions in the event of a successful challenge to any contested portion of the permit.

G. General requirements.

(I) The permittee must comply with all the terms and conditions of the permit. Any noncompliance with a permit condition constitutes a violation and is grounds for enforcement action, for permit termination, permit revocation and reissuance, permit modification or denial of a permit renewal application. Note: The grounds for termination of a permit under part (6)(C)1.G.(I) are the same as the grounds for revocation as stated in part (6)(E)8.A.(I).

(II) It shall not be a defense in an enforcement action that it would have been necessary for the permittee to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit.

(III) The permit may be modified, revoked, reopened, reissued or terminated for cause. Except as provided for minor permit modifications, the filing of an application or request for a permit modification, revocation and reissuance, or termination, or the filing of a notification of planned changes or anticipated noncompliance, does not stay any permit condition.

(IV) The permit does not convey any property rights of any sort, or grant any exclusive privilege.

(V) The permittee shall furnish to the permitting authority, upon receipt of a written request and within a reasonable time, any information that the permitting authority reasonably may require to determine whether cause exists for modifying, reopening, reissuing or revoking the permit or to determine compliance with the permit. Upon request, the permittee also shall furnish to the permitting authority copies of records required to be kept by the permittee. The permittee may make a claim of confidentiality for any information or records submitted under this paragraph (6)(C)1.

H. Incentive programs not requiring permit revisions. The permit shall include a provision stating that no permit revision will be required for any installation changes made under any approved economic incentive, marketable permit, emissions trading, or other similar programs or processes provided for in the permit.

I. Reasonably anticipated operating scenarios. The permit shall include terms and conditions for reasonably anticipated operating scenarios identified by the applicant and approved by the permitting authority. The permit shall authorize the permittee to make changes among alternative operating scenarios authorized in the permit without notice, but shall require the permittee, contemporaneous with changing from one (1) operating scenario to another, to record in a log at the permitted installation the scenario under which it is

operating. The permit shield shall apply to these terms and conditions.

J. Emissions trading. The permit shall include terms and conditions for the trading of emissions increases and decreases within the permitted installation to the extent that the applicable requirements provide for the trading of increases and decreases without case-by-case approval of each emissions trade. These terms and conditions shall include all those required to determine compliance (to include contemporaneous recording in a log of the details of the trade) and must meet all applicable requirements, and requirements of this rule. The permit shield shall apply to all terms and conditions that allow the trading of these increases and decreases in emissions.

2. Federally-enforceable conditions and state-only requirements.

A. Federally-enforceable conditions. Except as provided in subparagraph (6)(C)2.B. of this rule, all terms and conditions in a permit issued under this section, including any voluntary provisions designed to limit an installation's potential to emit, are enforceable by the permitting authority, by the administrator, and by citizens under section 304 of the Act.

B. State-only requirements. Notwithstanding subparagraph (6)(C)2.A. of this rule, the permitting authority shall expressly designate as not being federally-enforceable or enforceable under section 304 of the Act any terms and conditions included in the permit that are not required under the Act or any of its applicable requirements, and these terms and conditions shall not be enforceable by the administrator or by citizens under section 304 of the Act. Terms and conditions so designated shall not be subject to the requirements of 40 CFR sections 70.7 and 70.8. Terms and conditions expressly designated as state-only requirements under this paragraph may be included in an addendum to the installation's permit.

3. Compliance requirements. Permits issued under this section (6) shall contain the elements listed here with respect to compliance.

A. General requirements, including certification. Consistent with the monitoring and related record keeping and reporting requirements of this paragraph, the operating permit must include compliance certification, testing, monitoring, reporting and record keeping requirements sufficient to assure compliance with the terms and conditions of the permit. Any document (including reports) required to be submitted under this rule shall contain a certification signed by a responsible official as to the results of the required monitoring.

B. Inspection and entry. The permit must include requirements providing that, upon presentation of credentials and other documents as may be required by law, the permittee shall allow authorized officials of the permitting authority to perform the following (subject to the permittee's right to seek confidential treatment of information submitted to, or obtained by, the permitting authority under this subsection):

(I) Enter upon the permittee's premises where a permitted installation is located or an emissions-related activity is conducted, or where records must be kept under the conditions of the permit;

(II) Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;

(III) Inspect, at reasonable times and using reasonable safety practices, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and

(IV) As authorized by the Missouri Air Conservation Law Chapter 643, RSMo or the Act, sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

C. Schedule of compliance. The permit must include a schedule of compliance, to the extent required.

D. Progress reports. To the extent required under an applicable schedule of compliance, the permit must require progress reports to be submitted semiannually, or more frequently if specified

in the applicable requirement or by the permitting authority. These progress reports shall contain the following:

(I) Dates for achieving the activities, milestones or compliance required in the schedule of compliance, and dates when these activities, milestones or compliance were achieved; and

(II) An explanation of why any dates in the schedule of compliance were not or will not be met, and any preventive or corrective measures adopted.

E. Compliance certification. The permit must include requirements for certification of compliance with terms and conditions contained in the permit that are federally enforceable, including emissions limitations, standards or work practices. The permit shall specify—

(I) The frequency (which shall be annually unless the applicable requirement specifies submission more frequently) of compliance certifications;

(II) The means for monitoring compliance with emissions limitations, standards and work practices contained in applicable requirements;

(III) A requirement that the compliance certification include the following:

(a) The identification of each term or condition of the permit that is the basis of the certification;

(b) The permittee's current compliance status, as shown by monitoring data and other information reasonably available to the permittee;

(c) Whether compliance was continuous or intermittent;

(d) The method(s) used for determining the compliance status of the installation, currently and over the reporting period; and

(e) Such other facts as the permitting authority may require to determine the compliance status of the source;

(IV) A requirement that all compliance certifications be submitted to the administrator as well as to the permitting authority;

(V) Additional requirements as may be specified pursuant to sections 114(a)(3) and 504(b) of the Act; and

(VI) Any other provisions as the permitting authority may require.

4. General permits. Installations may apply to operate under any general permit.

A. Issuance of general permits. General permits covering similar part 70 installations may be issued by the permitting authority after notice and opportunity for public participation under subsection (6)(F) and section (7). The general permit shall indicate a reasonable time after which an installation that has submitted an application for authorization will be deemed to be authorized to operate under the general permit. A general permit shall identify criteria by which installations may be authorized to operate under the general permit. This criteria must include the following:

(I) Categories of sources covered by the general permit must be homogeneous in terms of operations, processes and emissions;

(II) Sources may not be subject to case-by-case standards or requirements; and

(III) Sources must be subject to substantially similar requirements governing operations, emissions, monitoring, reporting and record keeping.

B. Applications. The permitting authority shall provide application forms for coverage under a general permit. General permit applications may deviate from individual part 70 permit applications but shall include all information necessary to determine qualification for, and to assure compliance with, the general permit. The permitting authority shall authorize coverage by the conditions and terms of a general permit to all installations that apply for and qualify under the specified general permit criteria. Installations applying for coverage under a general permit must comply with all the requirements of this rule, except public participation requirements. General permits shall not be authorized for affected sources under the acid rain

program unless otherwise provided in rule promulgated under Title IV of the Act.

C. Public participation. Although public participation under section (7) of this rule is necessary for the issuance of a general permit, the permitting authority may authorize an installation to operate under general permit terms and conditions without repeating the public participation procedures. However, this authorization shall not be a final permit action of purposes for judicial review.

D. Enforcement. Notwithstanding the permit shield provisions of paragraph (6)(C)6. of this rule, an installation authorized to operate under a general permit is subject to enforcement for operating without an individual part 70 operating permit if the installation is determined not to be qualified for the general permit.

5. Portable installations. An installation may apply for a single permit authorizing emissions from similar operations by the same installation owner or operator at multiple temporary locations.

A. Qualification criteria. To qualify for a permit under this paragraph (6)(C)5. the applicant's operation must be temporary and involve at least one (1) change of location during the permit term. Affected sources shall not be authorized as temporary installations under the acid rain program unless otherwise provided in rules promulgated under Title IV of the Act.

B. Compliance at each location. The permittee must comply with all applicable requirements at each authorized location.

C. Notice of location change. The owner or operator of the installation must notify the permitting authority at least ten (10) days in advance of each change of location.

6. Permit shield.

A. Express permit statement required. Part 70 operating permits shall include express provisions stating that compliance with the conditions of the permit shall be deemed compliance with all applicable requirements as of the date of permit issuance, provided that—

(I) The applicable requirements are included and specifically identified in the permit; or

(II) The permitting authority, in acting on the permit revision or permit application, determines in writing that other requirements, as specifically identified in the permit, are not applicable to the installation and the permit expressly includes that determination or a concise summary of it.

B. Exceptions to permit protection. The permit shield does not affect the following:

(I) The provisions of section 303 of the Act or section 643.090, RSMo concerning emergency orders;

(II) Liability for any violation of an applicable requirement which occurred prior to, or was existing at, the time of permit issuance;

(III) The applicable requirements of the acid rain program;

(IV) The administrator's authority to obtain information; or

(V) Any other permit or extra-permit provisions, terms or conditions expressly excluded from the permit shield provisions of this rule.

7. Emergency provisions.

A. Definition. For the purposes of a part 70 operating permit, an emergency or upset means any condition arising from sudden and not reasonably foreseeable events beyond the control of the permittee, including acts of God, which require immediate corrective action to restore normal operation and that causes the installation to exceed a technology-based emission limitation under the permit due to unavoidable increases in emissions attributable to the emergency or upset. An emergency or upset shall not include noncompliance caused by improperly designed equipment, lack of preventive maintenance, careless or improper operation, or operator error.

B. Affirmative defense requirements. The permitting authority shall include in each permit a provision stating that an emergency or upset constitutes an affirmative defense to an enforcement action brought for noncompliance with technology-based emissions limitations. To establish an emergency- or upset-based defense, the per-

mittee must demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence, the following:

(I) An emergency or upset occurred and the permittee can identify the source of the emergency or upset;

(II) The installation was being operated properly;

(III) The permittee took all reasonable steps to minimize emissions that exceeded technology-based emissions limitations or the requirements in the permit; and

(IV) The permittee submitted notice of the emergency to the permitting authority within two (2) working days of the time when emission limitations were exceeded due to the emergency. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

8. Operational flexibility (installation changes not requiring permit revisions). An installation that has been issued a part 70 operating permit under this rule is not required to apply for or obtain a permit revision in order to make any of the changes to the permitted installation described in subparagraph/s/ (6)(C)8.A. of this rule if the changes are not Title I modification/s/ and the changes do not cause emissions to exceed emissions allowable under the permit, and the changes do not result in the emission of any air contaminant not previously emitted. The installation shall notify the permitting authority and the administrator at least seven (7) days in advance of these changes, except as allowed for emergency or upset conditions. Emissions allowable under the permit means a federally-enforceable permit term or condition determined at issuance to be required by an applicable requirement that establishes an emissions limit (including a work practice standard) or a federally enforceable emissions cap that the source has assumed to avoid an applicable requirement to which the source would otherwise be subject.

A. Section 502(b)(10) changes. Changes that, under section 502(b)(10) of the Act, contravene an express permit term may be made without a permit revision, except for changes that would violate applicable requirements of the Act or contravene federally-enforceable monitoring (including test methods), record keeping, reporting or compliance requirements of the permit.

(I) Before making a change under this provision, the permittee shall provide advance written notice to the permitting authority and to the administrator, describing the change to be made, the date on which the change will occur, any changes in emissions, and any permit terms and conditions that are affected. The permittee shall maintain a copy of the notice with the permit, and the permitting authority shall place a copy with the permit in the public file. Written notice shall be provided to the administrator and the permitting authority at least seven (7) days before the change is to be made. If less than seven (7) days' notice is provided because of a need to respond more quickly to these unanticipated conditions, the permittee shall provide notice to the administrator and the permitting authority as soon as possible after learning of the need to make the change.

(II) The permit shield shall not apply to these changes.

B. SIP-based emissions trading changes. Changes associated with trading emissions increases and decreases within a permitted installation may be made without a permit revision if the SIP provides for these trades. The permit shall contain terms and conditions governing the trading of emissions.

(I) For these changes, the advance written notice provided by the permittee shall identify the underlying authority authorizing the trade and shall state when the change will occur, the types and quantities of emissions to be traded, the permit terms or other applicable requirements with which the source will comply through emissions trading and any other information as may be required by the applicable requirement authorizing the emissions trade.

(II) The permit shield shall not apply to these changes. Compliance will be assessed according to the terms of the implementation plan authorizing the trade.

C. Emissions cap-based changes. Changes associated with the trading of emissions increases and decreases within a permitted

installation may be made without a permit revision if this trading is solely for the purpose of complying with the federally-enforceable emissions cap that was established in the permit at the applicant's request, independent of otherwise applicable requirements. For these changes, the advance written notice provided by the permittee shall identify the underlying authority authorizing the emissions trade and shall state when the change will occur, the types and quantities of emissions to be traded, the permit terms or other applicable requirements with which the source will comply through emissions trading, and any other information as may be required by the applicable requirement authorizing the emissions trade. The permit shield does apply to these changes.

9. Off-permit changes. Except as provided in subparagraph (6)(C)9.A. in this rule, a part 70 permitted installation may make any change in its permitted installation's operations, activities or emissions that is not addressed in, constrained by or prohibited by the permit without obtaining a permit revision. Insignificant activities listed in the permit, but not otherwise addressed in or prohibited by the permit, shall not be considered to be constrained by the permit for purposes of the off-permit provisions of this section. Off-permit changes shall be subject to the following requirements and restrictions:

A. Compliance with applicable requirements. The change must meet all applicable requirements of the Act and may not violate any existing permit term or condition; no permittee may change a permitted installation without a permit revision, even if the change is not addressed in or constrained by, the permit, if this change is subject to any requirements under Title IV of the Act or is a Title I modification;

B. Contemporaneous notice, except insignificant activities. The permittee must provide **contemporaneous** written notice of the change to the permitting authority and to the administrator [*no later than the next annual emissions report*]. This notice shall not be required for changes that are insignificant activities under paragraph (6)(B)3. of this rule. This written notice shall describe each change, including the date, any change in emissions, pollutants emitted and any applicable requirement that would apply as a result of the change.

C. Record of changes. The permittee shall keep a record describing all changes made at the installation that result in emissions of a regulated air pollutant subject to an applicable requirement and the emissions resulting from these changes; and

D. Permit shield not applicable. The permit shield shall not apply to these changes.

(E) Permit Issuance, Renewal, Reopenings and Revisions.

1. Action on application.

A. General requirements. A part 70 operating permit, permit modification or permit renewal may be issued only if all of the following conditions have been met:

(I) Except for a general permit authorization, the permitting authority has received a complete application for a permit, permit modification or permit renewal;

(II) Except for permit modifications qualifying for minor permit modification procedures, the permitting authority has complied with the requirements for public participation;

(III) The permitting authority has complied with the requirements for notifying and responding to affected states;

(IV) The permitting authority finds that the conditions of the permit provide for compliance with all applicable requirements and the requirements of the Act and the requirements of this rule; and

(V) The administrator has received a copy of the draft permit and any notices required, and has not objected to issuance of the permit under 40 CFR 70.8(c) within the time specified therein.

B. Completeness determination. After receipt of an application, the permitting authority promptly shall provide notice to the applicant of whether the application is complete. Unless the permitting authority notifies the applicant that the application is not com-

plete within sixty (60) days after receipt, the application shall be deemed complete.

(I) The permitting authority shall make available to applicants all the necessary application forms, together with a checklist of items required for a complete application package. An application will be deemed complete in the first instance if the applicant submits a completed application form, together with the other items on the checklist.

(II) No completeness determination shall be required for applications for minor permit modifications.

C. Drafts for public comment. Following review of an application, the permitting authority shall issue a draft permit, draft permit modification or draft permit renewal for public comment, in accordance with section (7). The draft shall be accompanied by a statement setting forth the legal and factual basis for the draft permit conditions (including references to applicable statutory or regulatory provisions). The permitting authority shall send this statement to the administrator, to affected states and to the applicant and shall place a copy in the public file.

D. Proposals for review. Following the end of the public comment period, the permitting authority shall prepare and submit to the administrator a draft permit, permit modification or permit renewal.

(I) The draft permit, modification or renewal shall be issued no later than forty-five (45) days preceding the deadline for final action under this section and shall contain all applicable requirements that have been promulgated and made applicable to the installation as of the date of issuance of the draft permit.

(II) If new requirements are promulgated or otherwise become newly applicable to the installation following the issuance of the draft permit but before issuance of a final permit (or in the case of unified review, before validation of an issued permit), the permitting authority may elect to either—

(a) Extend or reopen the public comment period to solicit comment on additional draft permit provisions to implement the new requirements; or

(b) If the permitting authority determines that this extension or reopening of the public comment period would delay issuance of the permit unduly, the permitting authority may include in the permit a provision stating that the permit is reopened upon issuance or validation to incorporate the new requirements and stating that the new requirements are excluded from the protection of the permit shield. If the permitting authority elects to issue the permit without incorporating the new requirements, the permitting authority shall institute, within thirty (30) days after the new requirements become applicable to the source, proceedings pursuant to this section to reopen the permit to incorporate the new requirements. These reopening proceedings may be instituted, but need not be completed, before issuance of the final permit.

E. Action following the administrator's review.

(I) Upon receipt of notice that the administrator will not object to a permit, permit modification or permit renewal that has been submitted for the administrator's review pursuant to this section, the permitting authority shall issue the permit, permit modification or permit renewal forthwith, but in no event later than the fifth day following receipt of the notice from the administrator.

(II) Forty-five (45) days after receipt by the administrator of a draft permit, permit modification or permit renewal for the administrator's review, and if the administrator has not notified the permitting authority that s/he objects to the permit action, the permitting authority shall promptly issue the permit, permit modification or permit renewal, but in no event later than the fiftieth day following receipt by the administrator.

(III) If the administrator objects to the permit, modification or renewal, the permit shall not be issued and the permitting authority shall consult with the administrator and the applicant, and shall submit a revised proposal to the administrator within ninety (90) days after the date of the administrator's objection. If the permitting authority does not revise the permit, the permitting authority will

inform the administrator within ninety (90) days following the date of the objection and decline to make those revisions. If the administrator disagrees with the permitting authority, the administrator may issue the permit with the revisions incorporated.

F. Final actions.

(I) Noninitial applications. Except as provided in this subsection (6)(E), the permitting authority shall take final action on each application for a part 70 operating permit within eighteen (18) months after receiving a complete application. Final action on each application for a significant permit modification or permit renewal shall be taken within six (6) months after receipt of a complete application. For each application, the permitting authority shall submit a draft permit, modification or renewal to the administrator no later than forty-five (45) days before the deadline for final action established in this section. The permitting authority shall take action on any permit, permit modification or permit renewal issued in compliance with rules promulgated under Title IV or V of the Act for the permitting of affected installations under the acid rain program within the time specified in those regulations.

(II) Initial applications. Applications accepted under the registry system shall be acted upon according to that registry.

G. Order for acting on applications. To the extent feasible, applications shall be acted upon in the order received, except that—

(I) Priority shall be given to taking final action on applications for construction or permit modification under Title I, Parts C and D of the Act and to applications for general permits. To the extent feasible, final action on these applications shall be taken within six (6) months following receipt of a complete application;

(II) For processing purposes, the permitting authority may group together applications addressing similar installations; and

(III) The permitting authority may give expedited treatment to simple applications that do not require significant review (for example, permits incorporating few or no substantive regulatory requirements).

2. Application shield.

A. Protection for not having a permit. If an installation subject to the requirement to obtain a permit under this section submits a timely and complete application for permit issuance or renewal, that installation's failure to have an issued permit shall not be a violation of the requirement to have the permit until the permitting authority takes final action on the application. This application protection shall cease to apply if, subsequent to a completeness determination, the applicant fails to submit, by the deadline specified in writing by the permitting authority, any additional information identified as being reasonably required to process the application.

B. Loss of protection. If an applicant files a timely application that the permitting authority determines is not complete, or if the applicant loses the protection granted under this section as a result of the failure to provide additional information reasonably requested by the permitting authority within the time specified, the applicant is in violation of this section for failure to have an issued permit.

C. Construction permits not affected. The submittal of a complete part 70 operating permit application shall not affect the requirement, where applicable, that an installation have a construction permit.

3. Permit renewal and expiration.

A. Renewal application requirements. Applications for permit renewals shall be subject to the same procedural requirements, including public participation, affected state comment and the administrator review, that apply to initial permit issuance. The permitting authority, in issuing a permit or renewal permit, may identify those portions that are proposed to be revised, supplemented or deleted.

B. Timely application. An installation's right to operate shall terminate upon the expiration of the permit, unless a complete permit renewal application is submitted at least six (6) months before the date of expiration, or unless the permitting authority takes final

action approving an application for a permit renewal by the expiration date.

C. Extension of expired permits. If a timely and complete application for a permit renewal is submitted, but the permitting authority fails to take final action to issue or deny the renewal permit before the end of the term of the previous permit, the previous permit shall not expire until the renewal permit is issued or denied. Any permit shield granted under the previous permit shall continue in effect during this period of time. However, the administrator may invoke its authority under section 505(e) of the Act to terminate or revoke and reissue the permit.

4. Administrative permit amendments.

A. Definition. An administrative permit amendment is a permit revision that—

(I) Corrects typographical errors;

(II) Identifies a change in the name, address or phone number of any person identified in the permit, or provides a similar minor administrative change at the installation;

(III) Requires more frequent monitoring or reporting by the permittee;

(IV) Allows for a change in ownership or operational control of an installation where no other change in the permit is necessary, provided that a written agreement containing a specific date for transfer of permit responsibility, coverage and liability between the current and new permittee must be submitted to the permitting authority;

(V) Incorporates in the part 70 operating permit the requirements of a unified construction permit issued by the permitting authority.

B. Acid rain provisions. For purposes of any acid rain portion of a part 70 operating permit, administrative permit amendments shall be governed by rules promulgated under Title IV of the Act.

C. Procedures. An administrative permit amendment shall be made by the permitting authority under the following procedures:

(I) The permitting authority shall take final action on a request for an administrative permit amendment within sixty (60) days after receipt of the request, and may incorporate the proposed changes in a permit without providing notice to the public or affected states, if any of the permit revisions are designated as having been made pursuant to this paragraph (6)(E)4.;

(II) The permitting authority shall transmit a copy of the amended permit to the administrator; and

(III) An installation may implement the changes addressed in a request for an administrative permit amendment immediately upon submittal of the request.

D. Permit shield applicable. The permitting authority, upon taking final action granting a request for an administrative permit amendment, shall allow coverage by the permit shield.

5. Permit modifications.

A. Definition. A permit modification is any revision to a part 70 operating permit which is not an administrative amendment **under paragraph (6)(E)4. of this rule. A permit modification for the purposes of the acid rain portion of the permit shall be governed by regulations promulgated under Title IV of the Act.**

B. Minor permit modification.

(I) Criteria.

(a) Minor permit modifications involve changes to an installation that do not—

I. Violate any applicable requirement;

II. Involve significant changes to monitoring, reporting or record keeping requirements in the permit;

III. Require or change any case-by-case or source-specific determination contained in the permit, or a source-specific determination for temporary sources of ambient impacts, or a visibility or increment analysis;

IV. Establish or change a permit term for which there is no corresponding underlying applicable requirement and which the source has assumed in order to avoid an applicable requirement to

which it would otherwise be subject, such as a federally-enforceable emissions cap voluntarily agreed to in order to avoid classification as a Title I modification or an alternative emissions limit approved pursuant to 112(i)(5) of the Act;

V. Constitute a Title I modification; and

VI. Constitute a significant permit modification.

(b) Notwithstanding subpart (6)(E)5.B.(I)(a) and subparagraph (6)(E)5.C. of this section, minor permit modification procedures may be used for permit modifications involving the use of economic incentives, marketable permits, emissions trading, and other similar approaches, to the extent that such minor permit modification procedures are explicitly provided for in an applicable implementation plan or in applicable requirements promulgated by EPA.

(II) Procedures.

(a) The applicant should complete a minor permit modification form application which is consistent with the requirements of this section (6), and which includes at least the following information:

I. A description of the proposed change, the resulting emissions and any new applicable requirements;

II. The applicant's draft modified permit;

III. Certification *[consistent with this section]* by a responsible official consistent with paragraph (6)(B)4. of this rule, that the proposed modification meets the criteria for use of minor permit modification procedures; and

IV. Completed forms to enable the permitting authority to notify the administrator and affected states.

(b) The permitting authority will notify the administrator and affected states within five (5) days after receipt of the application.

(c) Public participation requirements are not applicable to minor permit modifications.

(d) Within thirty (30) days after receiving the minor permit modification application, the permitting authority will notify the applicant whether the application is deemed complete or if further information is needed to deem it so.

(e) Within ninety (90) days after receiving the minor permit modification application, or fifteen (15) days after the end of the administrator's forty-five (45)-day review period, whichever is later, the permitting authority shall—

I. Issue the permit modification as proposed;

II. Deny the permit modification;

III. Determine that the requested change is a significant permit modification that should be reviewed as such; or

IV. Revise the draft modified permit and notify the applicant and the administrator by providing a written copy of the proposed intended changes, a written statement of the factual and legal reasons for the changes, and notice of the rights of the applicant and the administrator to appeal or object to the changes, including any deadlines for this appeal or objection.

(f) An applicant for a minor permit modification may make the change proposed immediately after filing the application. After making the change, and until the permitting authority takes any of the actions specified in this section (6), the applicant must comply with both the applicable requirements governing the change and the proposed modified permit terms and conditions. During this time period, the installation need not comply with the existing permit terms and conditions the applicant is seeking to modify. However, if the applicant fails to comply with the proposed modified permit terms and conditions during this time period, the existing permit terms and conditions which the applicant is seeking to modify may be enforced against the installation.

(III) Permit shield not applicable. The permit shield does not apply to minor permit modifications.

(IV) Public notice. The permitting authority shall provide public notice of a change proposed in a minor permit modification application when it determines that the proposed change is of suffi-

cient consequence that the public may have an interest in being informed. The procedures for the public notice shall be as follows:

(a) Notice shall be given by publication in a newspaper of general circulation in the area where the installation is located or in a state publication designed to give general public notice, and to persons on a mailing list developed by the permitting authority, including those who request in writing to be on the list;

(b) The notice shall identify: the installation; the name and address of the permittee; the name and address of the permitting authority; the activity(ies) involved in the permit action; any emissions change involved in the proposed minor permit modification; the name, address and telephone number of a person from whom interested persons may obtain additional information, including copies of the draft permit, the application, all relevant supporting materials and all other materials available to the permitting authority that are relevant to the permit decision; and

(c) The permitting authority shall provide public notice, as provided in this section, promptly upon receipt of the source's minor permit modification application; however, the timing and content of this notice shall not be grounds for a challenge to the permitting authority's final action.

C. Group processing of minor permit modifications. Pursuant to this paragraph (6)(E)5., the permitting authority may modify the procedures outlined in this section (6) to process groups of an installation's applications for certain modifications eligible for minor permit modification processing.

(I) Criteria. Group processing of proposed minor permit modifications may be used only for those which—

(a) Meet the criteria for minor permit modification procedures under this section; and

(b) Collectively are below the following threshold level: ten percent (10%) of the emissions allowed by the permit for the emissions unit for which the change is proposed; twenty percent (20%) of the applicable definition of a part 70 installation; or five (5) tons per year, whichever is least.

(II) Applications. An application requesting the use of group processing procedures shall meet the requirements of this subparagraph and shall include the following:

(a) A description of the change, the emissions resulting from the change and any new applicable requirements that will apply if the change occurs;

(b) The applicant's draft modified permit;

(c) Certification by a responsible official, consistent with this section, that the proposed modification meets the criteria for use of group processing procedures and a request that these procedures be used;

(d) A list of the installation's other pending applications awaiting group processing and a determination of whether the requested modification, aggregated with these other applications, equals or exceeds the threshold established under this section (6);

(e) Certification, consistent with this section (6), that the applicant has notified the administrator of the proposed modification. This notification need only contain a brief description of the proposed modification; and

(f) Completed forms for the permitting authority to use to notify the administrator and affected states.

(III) Administrator and affected state notification. On a quarterly basis or within five (5) business days after receipt of an application demonstrating that the aggregate of an installation's pending applications equals or exceeds the threshold level established under this section, whichever is earlier, the permitting authority promptly, in accordance with section (7) of this rule, shall notify the administrator and affected states of the proposed permit modifications. The permitting authority shall send any notice required to the administrator.

(IV) Timetable for issuance. The provisions of this section shall apply to modifications eligible for group processing, except that the permitting authority shall take one (1) of the actions specified in

this paragraph within one hundred [and] eighty (180) days after receipt of the application or fifteen (15) days after the end of the administrator's forty-five (45)-day review period, whichever is later.

(V) Installation's ability to make change. The provisions of this subpart (6)(E)5.B.(II)(f) shall apply to modifications eligible for group processing.

(VI) Permit shield not applicable. The provisions of part (6)(E)5.B.(III) shall apply to modifications eligible for group processing.

(VII) Public notice. The provisions of this part (6)(E)5.B.(IV) shall apply to modifications eligible for group processing.

D. Significant permit modifications.

(I) Definition. Any permit revision which is not a minor modification or administrative permit amendment is a significant permit modification. This revision includes, but is not limited to, significant changes in monitoring, reporting or record keeping permit terms and any change in the method of measuring compliance with existing permit requirements. Criteria for determining whether a proposed change is significant shall include the magnitude of the change and the resulting impact on the environment.

(II) Procedures.

(a) An applicant for a significant permit modification shall adhere to all the relevant requirements for an initial permit application under section (6) of this rule, as well as requirements for public participation under section (7), and review by the administrator and affected states under subsection (6)(F) except—

I. The applicant should use the form for a significant permit modification application, rather than the form for an initial permit issuance; and

II. The permitting authority will complete review of significant permit modification applications within nine (9) months after receipt of an application.

6. Reopening permits for cause.

A. Cause to reopen. A part 70 operating permit shall be reopened for cause if—

(I) The permitting authority receives notice from the administrator that the administrator has granted a petition for disapproval of a permit pursuant to 40 CFR 70.8(d), provided that the reopening may be stayed pending judicial review of that determination;

(II) The permitting authority or the administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions limitations standards or other terms of the permit;

(III) Additional applicable requirements under the Act become applicable to the installation; however, reopening on this ground is not required if—

(a) The permit has a remaining term of less than three (3) years;

(b) The effective date of the requirement is later than the date on which the permit is due to expire; or

(c) The additional applicable requirements are implemented in a general permit that is applicable to the installation and the installation receives authorization for coverage under that general permit;

(IV) The installation is an affected source under the acid rain program and additional requirements (including excess emissions requirements) become applicable to that source, provided that, upon approval by the administrator, excess emissions offset plans shall be deemed to be incorporated into the permit; or

(V) The permitting authority or the administrator determines that the permit must be reopened and revised to assure compliance with applicable requirements.

B. Notice to the permittee. If the permitting authority finds reason to believe that a permit should be reopened for cause, it shall provide at least thirty (30) day's prior written notice to the permit-

tee, except the notice period may be less if the permitting authority finds that an emergency exists.

(I) This notice shall include a statement of the terms and conditions that the permitting authority proposes to change, delete or add to the permit. If the permitting authority does not have sufficient information to determine the terms and conditions that must be changed, deleted or added to the permit, the notice shall request the permittee to provide that information within a period of time specified in the notice, which shall be not less than thirty (30) days except in the case of an emergency.

(II) If the proposed reopening is pursuant to subparagraph (6)(E)6.A. of this rule, the permitting authority shall give the permittee an opportunity to provide evidence that the permit should not be reopened.

C. Procedures for reissuance. In reissuing the permit, the permitting authority shall follow the procedures established under subsection (6)(E). The permittee shall in all cases be afforded an opportunity to comment on the revised permit terms.

D. Judicial review. Upon issuance of the revised permit, both the determination to reopen the permit and the revised permit terms shall be subject to judicial review.

E. Extension of permit shield. While a reopening proceeding is pending, the permittee shall be entitled to the continued protection of any permit shield provided in the permit pending issuance of a revised permit, unless the permitting authority specifically suspends the permit shield on the basis of a finding that this suspension is necessary to implement applicable requirements. If this finding applies only to certain applicable requirements or to certain permit terms, the suspension shall extend only to those requirements or terms.

F. Deadline for completion. Any reopening and reissuance proceeding shall be completed within eighteen (18) months after promulgation of the applicable requirements.

7. Reopening permits for cause by the administrator.

A. Notice of cause. If the permitting authority receives notice from the administrator that the administrator has found cause to revoke, modify or reopen and reissue a part 70 operating permit, the permitting authority, within ten (10) days after receipt of this notification, shall provide notice to the permittee. The notice to the permittee shall include a copy of the notice from the administrator and invite the permittee to comment in writing on the proposed action.

B. Proposed permitting authority response. Within ninety (90) days following receipt of the notification from the administrator, the permitting authority shall issue and forward to the administrator a proposed determination in response to the administrator's notification. The permitting authority may request an additional ninety (90) days for this submission if this time is required to obtain a new or revised permit application or other information from the permittee.

C. Comment by the administrator. The permitting authority shall address any further comment or objection from the administrator on the permitting authority's response to the administrator notification pursuant to this section.

8. Revocations and terminations.

A. Cause for revocation. The permitting authority may revoke a part 70 operating permit only upon request of the permittee or for cause. For purposes of this section, cause for revocation exists if—

(I) There is a pattern of unresolved and repeated noncompliance with the terms and conditions of the permit and the permittee has refused to take appropriate action (such as a schedule of compliance) to resolve the noncompliance;

(II) The permittee has failed to disclose material facts relevant to issuance of the permit or has knowingly submitted false or misleading information to the permitting authority;

(III) The permitting authority finds that the permitted installation or activity endangers public health, safety or the environment, and that the danger cannot be removed by a modification of the terms of the permit; or

(IV) The permittee has failed to pay a civil or criminal penalty imposed for violations of the permit.

B. Notice to permittee. Upon finding that cause exists for the revocation of a permit, the permitting authority shall notify the permittee of that finding in writing, stating the reasons for the proposed revocation. Within thirty (30) days following receipt of the notice, the permittee may submit written comments concerning the proposed revocation. If the permitting authority after that makes a final determination to revoke the permit, it shall provide a written notice to the permittee specifying the reasons for the decision and the effective date of the revocation.

C. Conditional revocation. A permit revocation issued under this section may be issued conditionally, with a future effective date, and may specify that the revocation will not take effect if the permittee satisfies the specified conditions before the effective date.

D. Application for termination. A permittee may apply at any time for termination of all or a portion of its part 70 operating permit relating solely to operations, activities and emissions that have been permanently discontinued at the permitted installation. An application for termination shall identify with specificity the permit or permit terms that relate to the discontinued operations, activities and emissions. The permitting authority shall act on an application for termination on this ground within ninety (90) days after receipt, and shall grant the application for termination upon finding that the permit terms for which termination is sought relate solely to operations, activities and emissions that have been permanently discontinued. In terminating all or portions of a permit pursuant to this subsection, the permitting authority may make appropriate orders for the submission of a final report or other information from the permittee to verify the complete discontinuation of the relevant operations, activities and emissions.

E. Application for termination based on general permit. A permittee may apply for termination of its permit on the ground that its operations, activities and emissions are fully covered by a general permit for which it has applied and received coverage. The permitting authority shall act on an application for termination on this ground within ninety (90) days after receipt, and shall grant the application upon a finding that the permittee's installation's operations, activities and emissions are fully covered by a general permit.

F. Application for new permit. An installation that has received a final revocation or termination of its permit may apply for a new permit.

9. Case-by-case determinations. If applicable requirements require the permitting authority to make a case-by-case determination of an emission limitation, technology requirement, work practice standard or other requirement for an installation, and to include terms and conditions implementing that determination in the installation's part 70 operating permit, the installation shall include in its permit application a proposed determination, together with the data and other information upon which the determination is to be based, and proposed terms and conditions to implement the determination. Upon receipt of a request from the applicant, the permitting authority shall meet with the applicant before the permit application is submitted to discuss the determination and the information required to make it. In the event the permitting authority determines that the applicant's proposed determination and implementing terms and conditions should be revised in the draft permit or the final permit, the permitting authority shall in all cases inform the applicant of the changes to be made, and allow the applicant to comment on those changes before issuing the draft permit or final permit.

10. Public participation. The procedures of section (7) of this rule shall be followed.

11. Judicial review. Any final action in granting or denying an application for a permit, permit amendment or modification or permit renewal shall be subject to Missouri Air Conservation Commission review as provided in 643.078 and 643.130, RSMo upon an appeal filed by the applicant or permittee, or by any affected state or other person who participated in the public comment

process. If no public comment procedure was employed for the action under challenge, an application for review may be filed by the permittee or an affected state. The opportunity for judicial review provided for in this subsection shall be the exclusive means for obtaining judicial review of any permit action.

A. Deadline for filing. No application for judicial review may be filed more than ninety (90) days following the final action on which review is sought, unless the grounds for review arose at a later time, in which case the application for review shall be filed within ninety (90) days of the date on which the grounds for review first arose, and review shall be limited to such later-arising grounds.

B. Scope of review. Any application for judicial review shall be limited to issues that—

(I) Were raised in written comments filed with the permitting authority or during a public hearing on the proposed permit action (if the grounds on which review is sought were known at that time), except that this restriction shall not apply if the person seeking review was not afforded an advance opportunity to comment on the challenged action; and

(II) Are germane and material to the permit action at issue.

C. Deadline for final action. For purposes of this section (6), final action shall include a failure by the permitting authority to take final action to issue or deny an application within the time specified in these regulations.

AUTHORITY: section 643.050, RSMo 2000. Original rule filed Sept. 2, 1993, effective May 9, 1994. Amended: Filed June 5, 1995, effective Jan. 30, 1996. Amended: Filed Oct. 3, 1995, effective June 30, 1996. Amended: Filed Aug. 14, 1997, effective April 30, 1998. Amended: Filed Sept. 22, 1999, effective May 30, 2000. Amended: Filed Sept. 4, 2001, effective May 30, 2002. Amended: Filed July 19, 2002.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing on this proposed amendment will begin at 9:00 a.m., October 24, 2002. The public hearing will be held at the Traveler's Inn Christian Bed and Breakfast, Ballroom, 301 W. Washington, Kirksville, Missouri. Opportunity to be heard at the hearing shall be afforded any interested person. Written request to be heard should be submitted at least seven (7) days prior to the hearing to Roger D. Randolph, Director, Missouri Department of Natural Resources' Air Pollution Control Program, 205 Jefferson Street, PO Box 176, Jefferson City, MO 65102-0176, (573) 751-4817. Interested persons, whether or not heard, may submit a written statement of their views until 5:00 p.m., October 31, 2002. Written comments shall be sent to Chief, Planning Section, Missouri Department of Natural Resources' Air Pollution Control Program, 205 Jefferson Street, PO Box 176, Jefferson City, MO 65102-0176.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 4—Licenses**

PROPOSED AMENDMENT

11 CSR 45-4.060 Priority of Applications. The commission is amending section (1) of the rule.

PURPOSE: This amendment removes obsolete language from the rule and adds new criteria relevant to the application evaluation process.

(1) The commission shall prioritize the order in which applications are investigated and evaluated by the commission. Factors to be considered in setting the priority shall include the following:

(A) [The date of filing an application] The support or opposition of the governing body of the home dock city or county;

(B) The availability and suitability of a docking site;

(C) [The availability of a boat] The financial resources of the applicant, including the criteria identified in 11 CSR 45-4.080(2)(E);

(D) [The reasonable time necessary to start gaming] The applicant's experience in managing a licensed gaming operation;

(E) The applicant's history of regulatory compliance in Missouri and/or other jurisdictions;

[(E)] (F) The economic impact to the state;

[(F)] The complexity of the investigation;

(G) [The regional location of the home dock city or county;] The economic impact on the home dock city or county and the surrounding region, including competing excursion gambling boats, local businesses, and local governments;

(H) The quality and scope of the proposed development;

(I) The status of governmental actions required for the facility as identified in 11 CSR 45-4.080(2)(F); and

[(H)] (J) Other factors as the commission deems appropriate.

AUTHORITY: sections 313.004 and 313.800–313.850, RSMo [Supp. 1993] 2000. Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994. Amended: Filed July 24, 2002.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. A public hearing is scheduled for 10:00 a.m. on October 9, 2002 in the Missouri Gaming Commission Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.

Title 12—DEPARTMENT OF REVENUE

Division 10—Director of Revenue

Chapter 24—Drivers License Bureau Rules

PROPOSED AMENDMENT

12 CSR 10-24.050 Deletion of Traffic Convictions and Suspension or Revocation Data From Missouri Driver Records. The director proposes to amend subsection (1)(B).

PURPOSE: This amendment includes additional traffic convictions that cannot be deleted/expunged from the driver record.

(1) The Department of Revenue, when otherwise not prohibited by law, may delete from a Missouri driver record a previously recorded traffic conviction, suspension or revocation of a driving privilege if all of the following conditions are met:

(B) The conviction is not for a state violation of “no driver license,” a state violation of “no motorcycle qualified,” [or] a state, county or municipal violation of “driving while suspended/revoked,” a state violation of “leaving the scene of an accident,” a state, county or municipal violation of “leaving the scene of an accident when the person was operating a commercial motor vehicle,” a state, county or municipal violation of “driving while out of service,” a state or county violation “where a fatality occurred while operating a commercial motor vehicle” or a state “felony”;

AUTHORITY: sections 302.286, 302.304, 302.309 and 303.041, RSMo Supp. 2001. Original rule filed May 27, 1986, effective Aug. 25, 1986. Amended: Filed Sept. 8, 1989, effective Jan. 26, 1990. Amended: Filed Jan. 31, 1992, effective June 25, 1992. Amended: Filed Nov. 4, 1999, effective May 30, 2000. Amended: Filed May 1, 2000, effective Oct. 30, 2000. Amended: Filed Sept. 27, 2001, effective March 30, 2002. Amended: Filed July 22, 2002.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Revenue, Office of Legislation and Regulations, PO Box 629, Jefferson City, MO 65105. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 13—DEPARTMENT OF SOCIAL SERVICES

Division 70—Division of Medical Services

Chapter 3—Conditions of Provider Participation, Reimbursement and Procedure of General Applicability

PROPOSED AMENDMENT

13 CSR 70-3.020 Title XIX Provider Enrollment. The division is adding sections (7)–(10).

PURPOSE: This amendment clarifies that the Missouri Department of Social Services, Division of Medical Services, will not issue a new provider number for any type of changes, including, but not limited to, change of ownership, change of operator, tax identification change, merger, bankruptcy, name change, address change, payment address change, Medicare number change, or facilities/offices that have been closed and reopened at the same or different locations; that Medicaid provider numbers are contingent upon the applying provider receiving a favorable compliance determination with the Office of Civil Rights; that the enrolled Medicaid provider is responsible for all services provided and claims filed using her/his Medicaid provider number; and that Medicaid provider numbers are confidential.

(7) The provider shall advise the single state agency, in writing, on enrollment forms specified by the single state agency, of any changes affecting the provider's enrollment records. The Provider Enrollment Unit within the division is responsible for determining whether a current Medicaid provider number shall be issued or a new Medicaid provider number is issued. A new Medicaid provider number is not issued for any changes, including, but not limited to, change of ownership, change of operator, tax identification change, merger, bankruptcy, name change, address change, payment address change, Medicare number change, or facilities/offices that have been closed and reopened at the same or different locations. This includes replacement facilities whether they are at the same location or a different location,

and whether the Medicare number is retained or if a new Medicare number is issued. If a new provider number is issued in error due to change information being withheld at the time of application, the new Medicaid provider number shall be made inactive, the existing provider number will be made active, the existing provider number shall be updated, and the provider may be subject to sanction. The division shall issue payments to the entity identified in the current Medicaid participation agreement. Regardless of changes in control or ownership, the division shall recover from the entity identified in the current Medicaid participation agreement liabilities, sanctions and penalties pertaining to the Medicaid program, regardless of when the services were rendered.

(8) Medicaid provider numbers are contingent upon the applying provider receiving a favorable determination of compliance with Civil Rights requirements from the Office of Civil Rights (OCR). If OCR approval is not obtained and maintained, any reimbursement received shall be recouped.

(9) The provider is responsible for all services provided and all claims filed using her/his Medicaid provider number regardless to whom the reimbursement is paid and regardless of who in her/his employ or services produced or submitted the Medicaid claim or both. The provider is responsible for submitting proper diagnosis codes, procedure codes, and billing codes. When the length of time actually spent providing a service (begin and end time) is required to be documented, the provider is responsible for documenting such length of time, except for services as specified pursuant to 13 CSR 70-91.010(4)(A), Personal Care Program, regardless to whom the reimbursement is paid and regardless of whom in the provider's employ or services produced or submitted the Medicaid claim.

(10) Medicaid provider numbers shall not be released to any non-governmental entity, except the enrolled provider, by the Division of Medical Services or its agents.

AUTHORITY: sections [207.020, RSMo Supp. 1993,] 208.159, [RSMo 1986] and 208.153, RSMo [Supp. 1991] 208.201, RSMo 2000. This rule was previously filed as 13 CSR 40-81.165. Original rule filed June 14, 1982, effective Sept. 11, 1982. Amended: Filed July 30, 2002.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Office of the Director, Division of Medical Services, 615 Howerton Court, Jefferson City, MO 65109. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. If to be hand-delivered, comments must be brought to the Division of Medical Services at 615 Howerton Court, Jefferson City, Missouri. No public hearing is scheduled.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 70—Division of Medical Services
Chapter 10—Nursing Home Program**

PROPOSED AMENDMENT

13 CSR 70-10.015 Prospective Reimbursement Plan for Nursing Facility Services. The division is amending subsection (13)(B).

PURPOSE: This proposed amendment amends the high volume adjustment to stop accumulating the adjustment from year to year and establishes a second tier high volume adjustment.

(13) Adjustments to the Reimbursement Rates. Subject to the limitations prescribed elsewhere in this regulation, a facility's reimbursement rate may be adjusted as described in this section.

(B) Special Per-Diem Rate Adjustments. Special per-diem rate adjustments may be added to a qualifying facility's rate without regard to the cost component ceiling if specifically provided as described below.

1. Patient care incentive. Each facility with a prospective rate on or after January 1, 1995, shall receive a per-diem adjustment equal to ten percent (10%) of the facility's allowable patient care per diem subject to a maximum of one hundred thirty percent (130%) of the patient care median when added to the patient care per diem as determined in subsection (11)(A). This adjustment will not be subject to the cost component ceiling of one hundred twenty percent (120%) for the patient care median.

2. Ancillary incentive. Each facility with a prospective rate on or after January 1, 1995, and which meets one (1) of the following criteria shall receive a per-diem adjustment:

A. If the facility's allowable ancillary per diem as determined in subsection (11)(B) is below ninety percent (90%) of the ancillary median, the adjustment is equal to one-half (1/2) of the difference between one hundred twenty percent (120%) and ninety percent (90%) of the ancillary median. The following is an illustration of how the ancillary per-diem adjustment is calculated:

120% of median	\$6.62
90% of median	\$4.97
Difference	\$1.65
1/2 the difference	<u>2</u>
Per-diem adjustment	\$.83

B. If the facility's allowable ancillary per diem as determined in subsection (11)(B) is between ninety percent (90%) and one hundred twenty percent (120%) of the median, the adjustment is equal to one-half (1/2) of the difference between one hundred twenty percent (120%) of the median and the facility's allowable ancillary per diem. The following is an illustration of how the ancillary per-diem adjustment is calculated:

90% of median	\$4.97
120% of median	\$6.62
Ancillary per diem	\$5.21
Difference	\$1.41
1/2 the difference	<u>2</u>
Per-diem adjustment	\$.71

3. Multiple component incentive. Each facility with a prospective rate on or after January 1, 1995, and meets the following criteria shall receive a per-diem adjustment:

A. If the sum of the facility's patient care per diem and ancillary per diem, as determined in subsections (11)(A) and (B), is greater than or equal to sixty percent (60%) but less than or equal to eighty percent (80%), rounded to four (4) decimal places (.5985 or .8015 would not receive the adjustment), of the facility's total per diem, the adjustment is as follows:

Percent of Total Per-Diem Rate	Incentive
< 60%	\$0.00
> or = 60% but < 65%	\$1.15
> or = 65% but < 70%	\$1.30
> or = 70% but < 75%	\$1.45
> or = 75% but < or 80% =	\$1.60

B. A facility shall receive an additional incentive if it receives the adjustment in subparagraph (13)(B)3.A. and the following calculation is greater than seventy-five percent (75%), rounded to four (4) decimal places (.7485 would not receive the adjustment): Medicaid days divided by the licensed nursing facility patient days from the facility's desk audited and/or field audited 1992 cost report. The adjustment is as follows:

Calculated Percentage	Incentive
< 75%	\$0.00
> or = 75% but < 80%	\$0.15
> or = 80% but < 85%	\$0.30
> or = 85% but < 90%	\$0.45
> or = 90% but < 95%	\$0.60
> or = 95%	\$0.75

4. 1967 Life Safety Code (LSC). Currently certified nursing facilities that must comply with a recent interpretation of paragraph 10-133 of the 1967 LSC which requires corridor walls to extend to the roof deck or achieve equivalency under the Fire Safety Evaluation System (FSES) will be reimbursed the reasonable and necessary cost to meet those standards required for compliance through their reimbursement rate. The reimbursement shall not be effective until the Division of Aging has confirmed that the corrective action to comply with the 1967 LSC or FSES is operational and has reviewed the cost for compliance. Fire sprinkler systems shall be reimbursed over a depreciation life of twenty-five (25) years, and other alternative corrective action will be reimbursed over a depreciable life of fifteen (15) years. The division will use a desk audited and/or field audited cost report with the latest period ending in calendar year 1992 which is on file with the division as of December 31, 1993. This adjustment will be computed based on the documented cost submitted to the division as follows:

A. Depreciation. The cost incurred for the approved corrective action to continue in compliance divided by the depreciable useful life;

B. Interest. The interest cost incurred to finance this project shall be documented by a statement from the lending institution detailing the total interest cost of the loan period. The total interest cost will be divided by the loan period on a straight line basis; and

C. The total of subparagraph (13)(B)4.A. and B. will be divided by twelve (12) and then multiplied by the number of months covered by the 1992 cost report. This amount will be divided by the greater of actual patient days from the 1992 cost report or eighty-five percent (85%) of the licensed bed days from the 1992 cost report.

5. Any facility that had a 1967 LSC adjustment included in their December 31, 1994 reimbursement rate shall have that adjustment added to their January 1, 1995 reimbursement rate.

6. Replacement beds. A facility with a prospective rate in effect on or after January 1, 1995, may request a rate adjustment for replacement beds that resulted in the same number of beds being delicensed with the Division of Aging or the Department of Health. The facility shall provide documentation from the Division of Aging or the Department of Health that verifies the number of beds used for replacement have been delicensed from that facility. The rate adjustment will be calculated as the difference between the capital component per diem (fair rental value (FRV)) prior to the replacement beds being placed in service and the capital component per diem (FRV) including the replacement beds placed in service as calculated in subsection (11)(D) including the replacement beds placed in service. The capital component is calculated for the replacement beds using the asset value per licensed bed as determined using the R. S. Means Construction Index for nursing facility beds adjusted for the Missouri indexes for the date the replacement beds are placed in service.

7. Additional beds. A facility with a prospective rate in effect on or after January 1, 1995, may request a rate adjustment for addi-

tional beds. The facility must obtain an approved certificate of need or applicable waiver for the additional beds. The rate adjustment will be calculated as the difference between the capital component per diem (FRV) prior to the additional beds being placed in service and the capital component per diem (FRV) including the additional beds as calculated in subsection (11)(D) including the additional beds placed in service. The capital component is calculated for the additional beds using the asset value per licensed bed as determined using the R. S. Means Construction Index for nursing facility beds adjusted for the Missouri indexes for the date the additional beds are placed in service.

8. Extraordinary circumstances. A participating facility which has a prospective rate may request an adjustment to its prospective rate due to extraordinary circumstances. This request must be submitted in writing to the division within one (1) year of the occurrence of the extraordinary circumstance. The request must clearly and specifically identify the conditions for which the rate adjustment is sought. The dollar amount of the requested rate adjustment must be supported by complete, accurate and documented records satisfactory to the division. If the division makes a written request for additional information and the facility does not comply within ninety (90) days of the request for additional information, the division shall consider the request withdrawn. Requests for rate adjustments that have been withdrawn by the facility or are considered withdrawn because of failure to supply requested information may be resubmitted once for the requested rate adjustment. In the case of a rate adjustment request that has been withdrawn and then resubmitted, the effective date shall be the first day of the month in which the resubmitted request was made providing that it was made prior to the tenth day of the month. If the resubmitted request is not filed by the tenth of the month, rate adjustments shall be effective the first day of the following month. Conditions for an extraordinary circumstance are as follows:

A. When the provider can show that it incurred higher costs due to circumstances beyond its control, the circumstances were not experienced by the nursing home industry in general and the costs have a substantial cost effect;

B. Extraordinary circumstances include:

(I) Natural disasters such as fire, earthquakes and flood that are not covered by insurance and that occur in a federally declared disaster area; and

(II) Vandalism and/or civil disorder that are not covered by insurance; and

C. The rate increase shall be calculated as follows:

(I) The one (1)-time costs, (costs that will not be incurred in future fiscal years):

(a) To determine what portion of the incurred costs will be paid, the division will use the patient occupancy days from latest available quarterly occupancy survey from the Division of Aging for the time period preceding when the extraordinary circumstances occurred; and

(b) The costs directly associated with the extraordinary circumstances will be multiplied by the above percent. This amount will be divided by the paid days for the month the rate adjustment becomes effective per paragraph (13)(B)8. This calculation will equal the amount to be added to the prospective rate for only one (1) month, which will be the month the rate adjustment becomes effective. For this one (1) month only, the ceiling will be waived.

(II) For ongoing costs (costs that will be incurred in future fiscal years): Ongoing annual costs will be divided by the greater of: annualized (calculated for a twelve (12)-month period) total patient days from the latest cost report on file or eighty-five percent (85%) of annualized total bed days. This calculation will equal the amount to be added to the respective cost center, not to exceed the cost component ceiling. The rate adjustment, subject to ceiling limits will be added to the prospective rate.

(III) For capitalized costs, a capital component per diem (FRV) will be calculated as determined in subsection (11)(D). The rate adjustment will be calculated as the difference between the capital

component per diem (FRV) prior to the extraordinary circumstances and the capital component per diem (FRV) including the extraordinary circumstances.

9. Quality Assurance Incentive.

A. Each nursing facility with an interim or prospective rate on or after July 1, 2000, shall receive a per-diem adjustment of \$3.20. The Quality Assurance Incentive adjustment will be added to the facility's current rate.

B. The Quality Assurance Incentive per-diem increase shall be used to increase the expenditures to a nursing facility's direct patient care costs. Direct patient care costs include all expenses in the patient care cost component (i.e., lines 46 through 69 of Schedule B in the Title XIX Cost Report). Any increases in wages and benefits already codified in a collective bargaining agreement in effect as of July 1, 2000, will not be counted towards the expenditure requirements of the Quality Assurance Incentive as stated above. Nursing facilities with collective bargaining agreements shall provide such agreements to the division.

10. High Volume Adjustment. Effective for dates of service July 1, 2000, a high volume adjustment shall be granted to qualifying providers. A provider must qualify each July 1, the beginning of each state fiscal year (SFY), for the high volume adjustment and the adjustment will be effective for services rendered during the SFY, July 1 through June 30. For a provider who has a high volume adjustment on June 30, but does not qualify for the high volume adjustment on July 1 of the subsequent SFY, that provider's prospective rate will be reduced by the amount of the high volume adjustment included in the facility's prospective rate in effect June 30.

A. Each facility with a prospective rate on or after July 1, 2000, and which meets all of the following criteria shall receive a per-diem adjustment:

(I) Have on file at the division a full twelve (12)-month cost report ending in the third calendar year prior to the state fiscal year in which the adjustment is being determined (i.e., for SFY 2001, the third prior year would be 1998, for SFY 2002, the third prior year would be 1999, etc.)

(II) The Medicaid patient days as determined from the cost report identified in part (13)(B)10.A.(I) exceeds eighty-five percent (85%) of the total patient days for all nursing facility licensed beds;

(III) The allowable cost per patient day as determined by the division from the applicable cost report for the patient care, ancillary and administration cost components, as set forth in paragraphs (11)(A)1., (11)(B)1. and (11)(C)1., exceeds the per-diem ceiling for each cost component in effect at the end of the cost report period; and

(IV) State owned or operated facilities shall not be eligible for this adjustment.

B. The adjustment will be equal to ten percent (10%) of the sum of the per-diem ceilings for the patient care, ancillary and administration cost components in effect on July 1 of each year. **Effective July 1, 2002, the adjustment shall not accumulate from year to year.**

C. The division may reconstruct and redefine the qualifying criteria and payment methodology for the high volume adjustment.

D. Second Tier High Volume Adjustment. Effective for dates of service July 1, 2002, a second tier high volume adjustment shall be granted to qualifying providers.

(I) If a nursing facility qualifies for the first tier high volume adjustment, as set forth above in subparagraph (13)(B)10.A., it may qualify for the second tier adjustment if it meets the following criteria:

(a) The Medicaid patient days as determined from the cost report identified in part (13)(B)10.A.(I) exceeds ninety-three percent (93%) of the total patient days for all nursing facility licensed beds;

(b) The allowable cost per patient day as determined by the division from the applicable cost report for the patient care cost component, as set forth in paragraph (11)(A)1., exceeds

one hundred twenty percent (120%) of the per-diem ceiling for the patient care cost component in effect at the end of the cost report period; and

(c) The allowable cost per patient day as determined by the division from the applicable cost report for the administration cost component, as set forth in paragraph (11)(C)1., is less than one hundred fifty percent (150%) of the per-diem ceiling for the administration cost component in effect at the end of the cost report period.

(II) The second tier high volume adjustment will be calculated as a percentage, to be determined by the Department of Social Services, of the sum of the per-diem ceilings for the patient care, ancillary and administration cost components in effect on July 1 of each year. The adjustment for state fiscal year 2003 shall be eighteen dollars and fifty-six cents (\$18.56) per Medicaid day.

(a) The adjustment shall be distributed based on a quarterly amount, in addition to per-diem payments, based on Medicaid days determined from the paid day report from Missouri's fiscal agent for pay cycles during the immediately preceding state fiscal year.

(b) The state share of the second tier high volume adjustment shall come from certified public funds. If the aggregate certified public funds are less than the state match required, the total aggregate second tier high volume adjustment will be adjusted downward accordingly.

(III) A nursing facility must qualify for the adjustment each year to receive the additional quarterly payments.

11. Minimum Rate Adjustment. A minimum rate adjustment shall be granted to qualifying providers, as follows:

A. Effective for dates of service beginning July 1, 2001, the minimum Medicaid reimbursement rate for nursing facility services shall be eighty-five dollars (\$85).

AUTHORITY: sections 208.153, 208.159 and 208.201, RSMo 2000. Emergency rule filed Dec. 21, 1994, effective Jan. 1, 1995, expired April 30, 1995. Emergency rule filed April 21, 1995, effective May 1, 1995, expired Aug. 28, 1995. Original rule filed Dec. 15, 1994, effective July 30, 1995. For intervening history, please consult the Code of State Regulations. Amended: Filed July 30, 2002.

PUBLIC COST: This proposed amendment is expected to cost state agencies or political subdivisions \$902,053 in the aggregate in SFY 2003. A fiscal note containing details of the estimated cost of compliance has been filed with the secretary of state.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate in SFY 2003.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Social Services, Division of Medical Services, 615 Howerton Court, Jefferson City, MO 65109. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. If to be hand-delivered, comments must be brought to the Division of Medical Services at 615 Howerton Court, Jefferson City, Missouri. No public hearing is scheduled.

**FISCAL NOTE
PUBLIC COST****I. RULE NUMBER**

Rule Number and Name:	13 CSR 70-10.015 Prospective Reimbursement Plan for Nursing Facility Services
Type of Rulemaking:	Proposed Amendment

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Department of Social Services Division of Medical Services	\$902,053

III. WORKSHEET

SFY 02 Medicaid Days	48,602
Per diem Adjustment	<u>\$18.56</u>
Total	<u>\$902,053</u>

Patient Care Ceiling	\$49.50
Ancillary Ceiling	\$7.91
Administration Ceiling	\$14.42
Total	<u>\$71.83</u>
Percentage	25.84%
Per diem Adjustment	<u>\$18.56</u>

IV. ASSUMPTIONS

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 70—Division of Medical Services
Chapter 26—Federally-Qualified Health Center Services**

PROPOSED AMENDMENT

13 CSR 70-26.010 Medicaid Program Benefits for Federally-Qualified Health Center Services. The division is amending subsections (2)(C), (3)(A) and, (4)(A) and (B).

PURPOSE: This amendment allows FQHCs to receive grants from the Missouri Primary Care Association without those grants being offset against FQHC costs. This amendment also incorporates language for MC+ and interim payments.

(2) General Principles.

(C) Reasonable costs shall be apportioned to the Medicaid program based on a ratio of covered charges for beneficiaries to total charges. Charges mean the regular rate for various services which are established uniformly for both Medicaid recipients and other patients. **Medicaid charges shall include Medicaid managed care (MC+) charges for covered services.**

(3) Nonallowable Costs. Any costs which exceed those determined in accordance with the Medicare cost reimbursement principles set forth in 42 CFR Part 413 are not allowable in the determination of a provider's total reimbursement. In addition, the following items specifically are excluded in the determination of a provider's total reimbursement:

(A) Grants [other than Public Health Services Grants under Section 329, 330 or 340 of the Public Health Services Act], gifts and income from endowments will be deducted from total operating costs[;], **with the following exceptions:**

1. Public Health Service Grants under sections 329, 330 or 340 of the Public Health Services Act; and

2. Grants received from the Missouri Primary Care Association (MPCA) in accordance with contractual agreements between the Division of Medical Services and MPCA;

(4) Interim Payments.

(A) FQHC services shall be reimbursed on an interim basis **up to ninety-seven percent (97%) of charges for covered services billed to the Medicaid program.** Interim billings will be processed in accordance with the claims processing procedures [and fee schedules] for the applicable programs.

(B) [Each calendar quarter, an interim settlement will be processed to adjust payments for covered services to a level of ninety-five percent (95%) of billed charges.] **An FQHC in a Medicaid managed care (MC+) region shall be eligible for supplemental reimbursement of up to ninety-seven percent (97%) of MC+ charges. This reimbursement shall make up the difference between ninety-seven percent (97%) of the FQHC's MC+ charges for a reporting period, and payments made by the MC+ health plans to the FQHC for covered services rendered to MC+ patients during that period. The supplemental reimbursement shall occur pursuant to the schedule agreed to by the division and the FQHC, but shall occur no less frequently than every four (4) months. Supplemental reimbursement shall be requested on forms provided by the division. Supplemental reimbursement for MC+ charges shall be considered interim reimbursement of the FQHC's Medicaid costs.**

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Social Services, Division of Medical Services, 615 Howerton Court, Jefferson City, MO 65109. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. If to be hand-delivered, comments must be brought to the Division of Medical Services at 615 Howerton Court, Jefferson City, Missouri. No public hearing is scheduled.

AUTHORITY: sections 208.153 and 208.201, RSMo [Supp. 1990] 2000. Emergency rule filed June 4, 1990, effective July 1, 1990, expired Oct. 28, 1990. Original rule filed June 4, 1990, effective Nov. 30, 1990. Amended: Filed Sept. 4, 1991, effective Jan. 13, 1992. Amended: Filed July 30, 2002.

This section will contain the final text of the rules proposed by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order of rulemaking is based; reference to the date and page or pages where the notice of proposed rulemaking was published in the *Missouri Register*; an explanation of any change between the text of the rule as contained in the notice of proposed rulemaking and the text of the rule as finally adopted, together with the reason for any such change; and the full text of any section or subsection of the rule as adopted which has been changed from that contained in the notice of proposed rulemaking. The effective date of the rule shall be not less than thirty (30) days after the date of publication of the revision to the *Code of State Regulations*.

The agency is also required to make a brief summary of the general nature and extent of comments submitted in support of or opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with the rulemaking, together with a concise summary of the agency's findings with respect to the merits of any such testimony or comments which are opposed in whole or in part to the proposed rule. The ninety (90)-day period during which an agency shall file its order of rulemaking for publication in the *Missouri Register* begins either: 1) after the hearing on the proposed rulemaking is held; or 2) at the end of the time for submission of comments to the agency. During this period, the agency shall file with the secretary of state the order of rulemaking, either putting the proposed rule into effect, with or without further changes, or withdrawing the proposed rule.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 4—Wildlife Code: General Provisions**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-4.130 Owner May Protect Property is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2002 (27 MoReg 971-972). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2003**.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 4—Wildlife Code: General Provisions**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission adopts a rule as follows:

3 CSR 10-4.141 Right to Possess Wildlife is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 17, 2002 (27 MoReg 972). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective **March 1, 2003**.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 5—Wildlife Code: Permits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-5.205 Permits Required; Exceptions is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2002 (27 MoReg 972-973). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2003**.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 5—Wildlife Code: Permits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-5.215 Permits and Privileges: How Obtained; Not Transferable is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2002 (27 MoReg 973). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2003**.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 5—Wildlife Code: Permits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-5.225 Permits: Permit Issuing Agents; Service Fees; Other Provisions is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2002

(27 MoReg 973). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2003**.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 5—Wildlife Code: Permits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission rescinds a rule as follows:

3 CSR 10-5.350 Resident Firearms Deer Hunting Permit is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 17, 2002 (27 MoReg 973-974). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 5—Wildlife Code: Permits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-5.352 Resident Firearms First Bonus Deer Hunting Permit is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2002 (27 MoReg 974). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 5—Wildlife Code: Permits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-5.353 Resident Firearms Second Bonus Deer Hunting Permit is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2002 (27 MoReg 974). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amend-

ment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 5—Wildlife Code: Permits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-5.425 Antlerless-Only Archery Deer Hunting Permit is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2002 (27 MoReg 974). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 5—Wildlife Code: Permits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-5.460 Licensed Hunting Preserve Hunting Permit is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2002 (27 MoReg 974-975). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2003**.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 5—Wildlife Code: Permits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-5.465 Three-Day Licensed Hunting Preserve Hunting Permit is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2002 (27 MoReg 975). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2003**.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 5—Wildlife Code: Permits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission rescinds a rule as follows:

3 CSR 10-5.550 Nonresident Firearms Deer Hunting Permit is **rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 17, 2002 (27 MoReg 975). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 5—Wildlife Code: Permits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-5.551 Nonresident Firearms Any-Deer Hunting Permit is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2002 (27 MoReg 975). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 5—Wildlife Code: Permits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-5.552 Nonresident Firearms First Bonus Deer Hunting Permit is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2002 (27 MoReg 976). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 5—Wildlife Code: Permits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-5.553 Nonresident Firearms Second Bonus Deer Hunting Permit is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2002 (27 MoReg 976). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 5—Wildlife Code: Permits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-5.559 Nonresident Managed Deer Hunting Permit is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2002 (27 MoReg 976). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 5—Wildlife Code: Permits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission rescinds a rule as follows:

3 CSR 10-5.575 Nonresident Landowner Firearms Deer Hunting Permit is **rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 17, 2002 (27 MoReg 976–977). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 5—Wildlife Code: Permits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

**3 CSR 10-5.576 Nonresident Landowner Firearms Any-Deer
Hunting Permit is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2002 (27 MoReg 977). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 5—Wildlife Code: Permits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

**3 CSR 10-5.577 Nonresident Landowner Firearms First Bonus
Deer Hunting Permit is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2002 (27 MoReg 977). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 5—Wildlife Code: Permits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

**3 CSR 10-5.578 Nonresident Landowner Firearms Second Bonus
Deer Hunting Permit is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2002 (27 MoReg 977). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 6—Wildlife Code: Sport Fishing: Seasons,
Methods, Limits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-6.405 General Provisions is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2002 (27 MoReg 978). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **January 1, 2003**.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 6—Wildlife Code: Sport Fishing: Seasons,
Methods, Limits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-6.410 Fishing Methods is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2002 (27 MoReg 978). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2003**.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10 Conservation Commission
Chapter 6—Wildlife Code: Sport Fishing: Seasons,
Methods, Limits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-6.415 Restricted Zones is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2002 (27 MoReg 978-979). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2003**.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 6—Wildlife Code: Sport Fishing: Seasons,
Methods, Limits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-6.540 Walleye and Sauger is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2002 (27 MoReg 979). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2003**.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 6—Wildlife Code: Sport Fishing: Seasons,
Methods, Limits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-6.550 Other Fish is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2002 (27 MoReg 979). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2003**.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 6—Wildlife Code: Sport Fishing: Seasons,
Methods, Limits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-6.605 Live Bait is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2002 (27 MoReg 979-980). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2003**.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 7—Wildlife Code: Hunting: Seasons,
Methods, Limits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-7.410 Hunting Methods is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2002 (27 MoReg 980). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2003**.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 7—Wildlife Code: Hunting: Seasons,
Methods, Limits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-7.455 Turkeys: Seasons, Methods, Limits is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2002 (27 MoReg 980-981). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2003**.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 8—Wildlife Code: Trapping: Seasons,
Methods**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-8.510 Use of Traps is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2002 (27 MoReg 981). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2003**.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 8—Wildlife Code: Trapping: Seasons,
Methods**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-8.515 Furbearers: Trapping Seasons is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2002 (27 MoReg 981-982). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2003**.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 9—Wildlife Code: Confined Wildlife:
Privileges, Permits, Standards**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission adopts a rule as follows:

3 CSR 10-9.106 Confined Wildlife Permits: How Obtained, Replacements is **adopted**.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 17, 2002 (27 MoReg 982). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective **March 1, 2003**.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 9—Wildlife Code: Confined Wildlife: Privileges,
Permits, Standards**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-9.110 General Prohibition; Applications is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2002 (27 MoReg 982-983). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2003**.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 9—Wildlife Code: Confined Wildlife: Privileges,
Permits, Standards**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-9.220 Wildlife Confinement Standards is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2002 (27 MoReg 983-986). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2003**.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 9—Wildlife Code: Confined Wildlife: Privileges,
Permits, Standards**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-9.351 Class II Wildlife Breeder Permit is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2002 (27 MoReg 986). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2003**.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 9—Wildlife Code: Confined Wildlife: Privileges,
Permits, Standards**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-9.353 Privileges of Class I and Class II Wildlife Breeders is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2002 (27 MoReg 986). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2003**.

SUMMARY OF COMMENTS: No comments were received.

Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 9—Wildlife Code: Confined Wildlife: Privileges,
Permits, Standards

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-9.359 Class I and Class II Wildlife Breeder: Records Required **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2002 (27 MoReg 986-987). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2003**.

SUMMARY OF COMMENTS: No comments were received.

Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 9—Wildlife Code: Confined Wildlife: Privileges,
Permits, Standards

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-9.425 Wildlife Collector's Permit **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2002 (27 MoReg 987). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **January 1, 2003**.

SUMMARY OF COMMENTS: No comments were received.

Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 9—Wildlife Code: Confined Wildlife: Privileges,
Permits, Standards

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-9.560 Licensed Hunting Preserve Permit **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2002 (27 MoReg 987-988). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2003**.

SUMMARY OF COMMENTS: No comments were received.

Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 9—Wildlife Code: Confined Wildlife: Privileges,
Permits, Standards

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-9.570 Hound Running Area Operator and Dealer Permit **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2002 (27 MoReg 988). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2003**.

SUMMARY OF COMMENTS: No comments were received.

Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 9—Wildlife Code: Confined Wildlife: Privileges,
Permits, Standards

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-9.575 Hound Running Area: Privileges, Requirements **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2002 (27 MoReg 988). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2003**.

SUMMARY OF COMMENTS: No comments were received.

Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 9—Wildlife Code: Confined Wildlife: Privileges,
Permits, Standards

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-9.625 Field Trial Permits **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2002 (27 MoReg 988-989). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 9—Wildlife Code: Confined Wildlife:
Privileges, Permits, Standards**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission rescinds a rule as follows:

3 CSR 10-9.630 Confined Wildlife Permits: How Obtained, Replacements **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 17, 2002 (27 MoReg 989). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective **March 1, 2003.**

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 9—Wildlife Code: Confined Wildlife: Privileges,
Permits, Standards**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-9.645 Licensed Trout Fishing Area Permit: Privileges, Requirements **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2002 (27 MoReg 989). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2003.**

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 10—Wildlife Code: Commercial Permits:
Seasons, Methods, Limits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-10.743 Commercial Establishments **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2002 (27 MoReg 990). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2003.**

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 11—Wildlife Code: Special Regulations for
Department Areas**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-11.110 General Provisions **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2002 (27 MoReg 990). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations.*

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 11—Wildlife Code: Special Regulations for
Department Areas**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-11.115 Closings **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2002 (27 MoReg 990-991). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations.*

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 11—Wildlife Code: Special Regulations for
Department Areas**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission adopts a rule as follows:

3 CSR 10-11.125 Field Trials **is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 17, 2002 (27 MoReg 991). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations.*

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 11—Wildlife Code: Special Regulations for
Department Areas**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-11.140 Camping is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2002 (27 MoReg 991). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 11—Wildlife Code: Special Regulations for
Department Areas**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-11.145 Tree Stands is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2002 (27 MoReg 991-992). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2003**.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 11—Wildlife Code: Special Regulations for
Department Areas**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-11.155 Decoys and Blinds is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2002 (27 MoReg 992). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2003**.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 11—Wildlife Code: Special Regulations for
Department Areas**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-11.160 Use of Boats and Motors is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2002 (27 MoReg 992-993). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2003**.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 11—Wildlife Code: Special Regulations for
Department Areas**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-11.165 Bullfrogs and Green Frogs is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2002 (27 MoReg 993). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2003**.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 11—Wildlife Code: Special Regulations for
Department Areas**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-11.180 Hunting, General Provisions and Seasons is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2002 (27 MoReg 993-994). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 11—Wildlife Code: Special Regulations for
Department Areas**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-11.182 Deer Hunting is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2002 (27 MoReg 994-995). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 11—Wildlife Code: Special Regulations for
Department Areas**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-11.183 Managed Deer Hunts is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2002 (27 MoReg 995). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 11—Wildlife Code: Special Regulations for
Department Areas**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-11.186 Waterfowl Hunting is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2002 (27 MoReg 995-996). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2003**.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 11—Wildlife Code: Special Regulations for
Department Areas**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-11.205 Fishing Methods and Hours is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2002 (27 MoReg 996). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2003**.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 11—Wildlife Code: Special Regulations for
Department Areas**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

**3 CSR 10-11.210 Fishing, Daily and Possession Limits
is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2002 (27 MoReg 996-997). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2003**.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 11—Wildlife Code: Special Regulations for
Department Areas**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-11.215 Fishing, Length Limits is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2002 (27 MoReg 997-998). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2003**.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 12—Wildlife Code: Special Regulations for
Areas Owned by Other Entities**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-12.110 Use of Boats and Motors is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2002 (27 MoReg 998). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **March 1, 2003**.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 12—Wildlife Code: Special Regulations for
Areas Owned by Other Entities**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-12.125 Hunting and Trapping is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2002 (27 MoReg 998). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 12—Wildlife Code: Special Regulations for
Areas Owned by Other Entities**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-12.135 Fishing, Methods is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2002 (27 MoReg 998). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 12—Wildlife Code: Special Regulations for
Areas Owned by Other Entities**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

**3 CSR 10-12.140 Fishing, Daily and Possession Limits
is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2002 (27 MoReg 998-999). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 12—Wildlife Code: Special Regulations for
Areas Owned by Other Entities**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-12.145 Fishing, Length Limits is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2002 (27 MoReg 999-1000). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 20—Wildlife Code: Definitions**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-20.805 Definitions is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2002 (27 MoReg 1000-1002). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 140—Division of Finance
Chapter 11—Small, Small Loan Companies**

ORDER OF RULEMAKING

By the authority vested in the Missouri State Banking Board and the Missouri commissioner of finance under section 361.105, RSMo 2000, the commissioner and the board withdraw a proposed rescission as follows:

4 CSR 140-11.010 Small, Small Loan Companies—Licensing and General Provisions is **withdrawn**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on March 15, 2002 (27 MoReg 459). This proposed rescission is withdrawn because of 2002 legislative changes.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 140—Division of Finance
Chapter 11—Small, Small Loan Companies**

ORDER OF RULEMAKING

By the authority vested in the Missouri State Banking Board and the Missouri commissioner of finance under section 361.105, RSMo 2000, the commissioner and the board withdraw a proposed rescission as follows:

4 CSR 140-11.020 Small, Small Loan Companies—Recordkeeping is **withdrawn**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on March 15, 2002 (27 MoReg 459). This proposed rescission is withdrawn because of 2002 legislative changes.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 140—Division of Finance
Chapter 11—Section 500 Companies**

ORDER OF RULEMAKING

By the authority vested in the Missouri State Banking Board and the Missouri commissioner of finance under section 361.105, RSMo 2000, the commissioner and the board withdraw a proposed rule as follows:

4 CSR 140-11.030 Licensing and General Provisions is **withdrawn**.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on March 15, 2002 (27 MoReg 459-461). This proposed rule is withdrawn because of 2002 legislative changes.

SUMMARY OF COMMENTS: A public hearing on this proposed rule was held on April 22, 2002, and the public comment period ended April 14, 2002. At the public hearing, the commissioner of

finance called for any comments on this rule and one (1) comment was made and given consideration.

COMMENT: The commenter opposed the provision of the proposed rule that distinguishes a renewal loan to an existing customer from a new loan by treating a loan made on the same business day as a purported payoff to be regarded as a renewal. The commenter suggested that compliance with the law limiting the number of renewals could be obtained by merely relying upon the good faith compliance of the lender.

RESPONSE: This proposed rule is withdrawn because of 2002 legislative changes.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 140—Division of Finance
Chapter 11—Section 500 Companies**

ORDER OF RULEMAKING

By the authority vested in the Missouri State Banking Board and the Missouri commissioner of finance under section 361.105, RSMo 2000, the commissioner and the board withdraw a proposed rule as follows:

4 CSR 140-11.040 Record Keeping is **withdrawn**.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on March 15, 2002 (27 MoReg 461). This proposed rule is withdrawn because of 2002 legislative changes.

SUMMARY OF COMMENTS: No comments were received.

**Title 8—DEPARTMENT OF LABOR
AND INDUSTRIAL RELATIONS
Division 10—Division of Employment Security
Chapter 5—Appeals**

ORDER OF RULEMAKING

By the authority vested in the Division of Employment Security under sections 288.190 and 288.220.5, RSMo 2000, the division amends a rule as follows:

8 CSR 10-5.010 Appeals to an Appeals Tribunal is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 15, 2002 (27 MoReg 780-782). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 8—DEPARTMENT OF LABOR
AND INDUSTRIAL RELATIONS
Division 10—Division of Employment Security
Chapter 5—Appeals**

ORDER OF RULEMAKING

By the authority vested in the Division of Employment Security under sections 288.190 and 288.220.5, RSMo 2000, the division amends a rule as follows:

8 CSR 10-5.015 Appeal Hearings and Procedures is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 15, 2002 (27 MoReg 782-785). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 8—DEPARTMENT OF LABOR
AND INDUSTRIAL RELATIONS
Division 10—Division of Employment Security
Chapter 5—Appeals**

ORDER OF RULEMAKING

By the authority vested in the Division of Employment Security under sections 288.190 and 288.220.5, RSMo 2000, the division rescinds a rule as follows:

8 CSR 10-5.030 Telephone Hearings Before an Appeals Tribunal is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 15, 2002 (27 MoReg 785). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 8—DEPARTMENT OF LABOR
AND INDUSTRIAL RELATIONS
Division 10—Division of Employment Security
Chapter 5—Appeals**

ORDER OF RULEMAKING

By the authority vested in the Division of Employment Security under sections 288.190 and 288.220.5, RSMo 2000, the division adopts a rule as follows:

8 CSR 10-5.030 Telephone Hearings Before a Hearing Officer is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2002 (27 MoReg 785). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 8—DEPARTMENT OF LABOR
AND INDUSTRIAL RELATIONS
Division 10—Division of Employment Security
Chapter 5—Appeals**

ORDER OF RULEMAKING

By the authority vested in the Division of Employment Security under sections 288.190 and 288.220.5, RSMo 2000, the division rescinds a rule as follows:

8 CSR 10-5.040 Orders of an Appeals Tribunal is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 15, 2002 (27 MoReg 785-786). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 8—DEPARTMENT OF LABOR
AND INDUSTRIAL RELATIONS
Division 10—Division of Employment Security
Chapter 5—Appeals**

ORDER OF RULEMAKING

By the authority vested in the Division of Employment Security under sections 288.190 and 288.220.5, RSMo 2000, the division adopts a rule as follows:

8 CSR 10-5.040 Orders of a Hearing Officer is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2002 (27 MoReg 786). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 8—DEPARTMENT OF LABOR
AND INDUSTRIAL RELATIONS
Division 10—Division of Employment Security
Chapter 5—Appeals**

ORDER OF RULEMAKING

By the authority vested in the Division of Employment Security under sections 288.190 and 288.220.5, RSMo 2000, the division amends a rule as follows:

8 CSR 10-5.050 Decisions of an Appeals Tribunal is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 15, 2002 (27 MoReg 786-787). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program
Chapter 1—Administration**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under section 590.110, RSMo Supp. 2001, the director rescinds a rule as follows:

11 CSR 75-1.010 General Organization is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 3, 2002 (27 MoReg 865). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program
Chapter 1—Administration**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under section 590.110, RSMo Supp. 2001, the director adopts a rule as follows:

11 CSR 75-1.010 General Organization is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 3, 2002 (27 MoReg 865-866). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program
Chapter 2—Definitions**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under section 590.120, RSMo Supp. 2001, the director rescinds a rule as follows:

11 CSR 75-2.010 Definitions is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 3, 2002 (27 MoReg 866). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program
Chapter 2—Definitions**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under section 590.120, RSMo Supp. 2001, the director adopts a rule as follows:

11 CSR 75-2.010 Definitions is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 3, 2002 (27 MoReg 866-867). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program
Chapter 3—Certification of Bailiffs, Peace Officers, and
Reserve Officers**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under section 590.020, RSMo Supp. 2001, the director rescinds a rule as follows:

11 CSR 75-3.010 Certification is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 3, 2002 (27 MoReg 867). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program
Chapter 3—Certification of Bailiffs, Peace Officers, and
Reserve Officers**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under section 590.030, RSMo Supp. 2001, the director rescinds a rule as follows:

11 CSR 75-3.020 Eligibility for Certification is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 3, 2002 (27 MoReg 867). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program
Chapter 3—Certification of Bailiffs, Peace Officers, and
Reserve Officers**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under section 590.030, RSMo Supp. 2001, the director rescinds a rule as follows:

11 CSR 75-3.030 Requirements for and Terms of Certification is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 3, 2002 (27 MoReg 867-868). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training Program
Chapter 3—Certification of Bailiffs, Peace Officers, and Reserve Officers**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under section 590.030, RSMo Supp. 2001, the director rescinds a rule as follows:

11 CSR 75-3.040 Law Enforcement Experience is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 3, 2002 (27 MoReg 868). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training Program
Chapter 3—Certification of Bailiffs, Peace Officers, and Reserve Officers**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under section 590.110, RSMo Supp. 2001, the director rescinds a rule as follows:

11 CSR 75-3.050 Waivers for Equivalent Training and/or Experience is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 3, 2002 (27 MoReg 868). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training Program
Chapter 3—Certification of Bailiffs, Peace Officers, and Reserve Officers**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under section 590.110, RSMo Supp. 2001, the director rescinds a rule as follows:

11 CSR 75-3.060 Bailiff, Peace Officer, and Reserve Officer Certification is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 3, 2002 (27 MoReg 868). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training Program
Chapter 3—Certification of Bailiffs, Peace Officers, and Reserve Officers**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under section 590.110, RSMo Supp. 2001, the director rescinds a rule as follows:

11 CSR 75-3.070 Request for Individual Qualification Evaluation—Procedures is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 3, 2002 (27 MoReg 868-869). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training Program
Chapter 3—Certification of Bailiffs, Peace Officers, and Reserve Officers**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under section 590.120, RSMo Supp. 2001, the director rescinds a rule as follows:

11 CSR 75-3.080 Suspension and Revocation of the Certification of a Bailiff, Peace Officer, or Reserve Officer is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 3, 2002 (27 MoReg 869). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training Program
Chapter 4—Certification of Instructors**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under section 590.060, RSMo Supp. 2001, the director rescinds a rule as follows:

11 CSR 75-4.010 Types of Instructor Certification and Limitations of Instructors **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 3, 2002 (27 MoReg 869). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program
Chapter 4—Certification of Instructors**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under section 590.110, RSMo Supp. 2001, the director rescinds a rule as follows:

11 CSR 75-4.020 Application Procedures for Instructor Certification **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 3, 2002 (27 MoReg 869). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program
Chapter 4—Certification of Instructors**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under section 590.060, RSMo Supp. 2001, the director rescinds a rule as follows:

11 CSR 75-4.030 Instructor Certification Procedures **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 3, 2002 (27 MoReg 870). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program
Chapter 4—Certification of Instructors**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under section 590.120, RSMo Supp. 2001, the director rescinds a rule as follows:

11 CSR 75-4.040 Evaluation of Instructors **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 3, 2002 (27 MoReg 870). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program
Chapter 4—Certification of Instructors**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under section 590.120, RSMo Supp. 2001, the director rescinds a rule as follows:

11 CSR 75-4.050 Decertification of Instructors and Appeals Program **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 3, 2002 (27 MoReg 870). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program
Chapter 5—Certification of Training Centers**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under section 590.060, RSMo Supp. 2001, the director rescinds a rule as follows:

11 CSR 75-5.010 Initial Establishment of Training Centers to be Certified **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 3, 2002 (27 MoReg 870-871). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program
Chapter 5—Certification of Training Centers**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under section 590.060 RSMo Supp. 2001, the director rescinds a rule as follows:

11 CSR 75-5.020 Training Facility Directors or Coordinators **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 3, 2002 (27 MoReg 871). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program
Chapter 5—Certification of Training Centers**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under section 590.060, RSMo Supp. 2001, the director rescinds a rule as follows:

11 CSR 75-5.030 Application for Initial Probationary and Continuing Certification of Training Centers **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 3, 2002 (27 MoReg 871). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program
Chapter 5—Certification of Basic Training Centers**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under section 590.060, RSMo Supp. 2001, the director rescinds a rule as follows:

11 CSR 75-5.040 Minimum Requirements and Procedures for Training Centers **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 3, 2002 (27 MoReg 871). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program
Chapter 6—Minimum Standards for Training**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under sections 590.110 and 590.120, RSMo Supp. 2001, the director rescinds a rule as follows:

11 CSR 75-6.010 Minimum Requirements for Peace Officer and Reserve Officer **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 3, 2002 (27 MoReg

871–872). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program
Chapter 6—Minimum Standards for Training**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under section 590.120, RSMo Supp. 2001, the director rescinds a rule as follows:

11 CSR 75-6.020 Requirements for Trainee Attendance and Performance **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 3, 2002 (27 MoReg 872). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program
Chapter 6—Minimum Standards for Training**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under section 590.120, RSMo Supp. 2001, the director rescinds a rule as follows:

11 CSR 75-6.030 Procedures for Certifying Basic Training Courses **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 3, 2002 (27 MoReg 872). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program
Chapter 7—Peace Officers Standards and Training
Commission Administration**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under sections 590.030, 590.040, 590.050 and 590.120, RSMo Supp. 2001, the director rescinds a rule as follows:

11 CSR 75-7.010 General Organization and Administration **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 3, 2002 (27 MoReg

872). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program**

**Chapter 8—Minimum Standards for Training Applicable
to any Sheriff's Department of any City Not Within a
County**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under sections 590.020, 590.030, and 590.040, RSMo Supp. 2001, the director rescinds a rule as follows:

11 CSR 75-8.010 Minimum Requirements for St. Louis City
Deputy Sheriffs' Training **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 3, 2002 (27 MoReg 873). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program**

**Chapter 8—Minimum Standards for Training Applicable
to any Sheriff's Department of any City Not Within a
County**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under sections 590.030 and 590.040, RSMo Supp. 2001, the director rescinds a rule as follows:

11 CSR 75-8.020 Requirements for Trainee Attendance and
Performance **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 3, 2002 (27 MoReg 873). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program**

**Chapter 8—Minimum Standards for Training Applicable
to any Sheriff's Department of any City Not Within a
County**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under sections 590.030 and 590.040, RSMo Supp. 2001, the director rescinds a rule as follows:

11 CSR 75-8.030 Requirements for and Terms of Recognition of
Completion of Training **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 3, 2002 (27 MoReg 873). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program**

**Chapter 9—Minimum Standards for Training Applicable
to any Bailiff in the State of Missouri**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under sections 590.030 and 590.040, RSMo Supp. 2001, the director rescinds a rule as follows:

11 CSR 75-9.010 Minimum Requirements for Bailiffs
is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 3, 2002 (27 MoReg 873-874). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program**

**Chapter 9—Minimum Standards for Training Applicable
to any Bailiff in the State of Missouri**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under sections 590.030 and 590.040, RSMo Supp. 2001, the director rescinds a rule as follows:

11 CSR 75-9.020 Requirements for Trainee Attendance and
Performance **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 3, 2002 (27 MoReg 874). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program**

**Chapter 9—Minimum Standards for Training Applicable
to any Bailiff in the State of Missouri**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under sections 590.020, 590.030, and 590.040, and RSMo Supp. 2001, the director rescinds a rule as follows:

11 CSR 75-9.030 Requirements for and Terms of Recognition of Completion of Training is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 3, 2002 (27 MoReg 874). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program
Chapter 10—Peace Officer Standards and Training
Commission Fund****ORDER OF RULEMAKING**

By the authority vested in the director of the Department of Public Safety under section 590.120, RSMo Supp. 2001, the director rescinds a rule as follows:

11 CSR 75-10.010 General Organization of Peace Officer Standards and Training (POST) Commission Fund is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 3, 2002 (27 MoReg 874). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program
Chapter 10—Peace Officer Standards and Training
Commission Fund****ORDER OF RULEMAKING**

By the authority vested in the director of the Department of Public Safety under sections 488.5336, 590.120, RSMo Supp. 2001 and 590.178, RSMo 2000, the director rescinds a rule as follows:

11 CSR 75-10.020 Source of Funds—Terms and Conditions is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 3, 2002 (27 MoReg 875). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program
Chapter 10—Peace Officer Standards and Training
Commission Fund****ORDER OF RULEMAKING**

By the authority vested in the director of the Department of Public Safety under sections 488.5336, 590.120, and 590.178, RSMo 2000, the director rescinds a rule as follows:

11 CSR 75-10.030 Eligible Applicants is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 3, 2002 (27 MoReg 875). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program
Chapter 10—Peace Officer Standards and Training
Commission Fund****ORDER OF RULEMAKING**

By the authority vested in the director of the Department of Public Safety under sections 488.5336, 590.120, RSMo Supp. 2001 and 590.178, RSMo 2000, the director rescinds a rule as follows:

11 CSR 75-10.040 Eligible Training is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 3, 2002 (27 MoReg 875). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program
Chapter 10—Peace Officer Standards and Training
Commission Fund****ORDER OF RULEMAKING**

By the authority vested in the director of the Department of Public Safety under sections 488.5336, 590.120, RSMo Supp. 2001 and 590.178, RSMo 2000, the director rescinds a rule as follows:

11 CSR 75-10.050 Ineligible Training is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 3, 2002 (27 MoReg 875-876). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program
Chapter 10—Peace Officer Standards and Training
Commission Fund****ORDER OF RULEMAKING**

By the authority vested in the director of the Department of Public Safety under sections 488.5336, 590.120, RSMo Supp. 2001, and 590.178, RSMo 2000, the director rescinds a rule as follows:

11 CSR 75-10.060 Eligible Cost Items is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 3, 2002 (27 MoReg 876). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program
Chapter 10—Peace Officer Standards and Training
Commission Fund**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under section 488.5336, RSMo Supp. 2001, the director rescinds a rule as follows:

11 CSR 75-10.070 Ineligible Cost Items is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 3, 2002 (27 MoReg 876). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program
Chapter 10—Peace Officer Standards and Training
Commission Fund**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under sections 488.5336, RSMo Supp. 2001, and 590.178, RSMo 2000, the director rescinds a rule as follows:

11 CSR 75-10.080 Budget Year is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 3, 2002 (27 MoReg 876). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program
Chapter 10—Peace Officer Standards and Training
Commission Fund**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under sections 488.5336, RSMo Supp. 2001, and 590.178, RSMo 2000, the director rescinds a rule as follows:

11 CSR 75-10.100 Distribution of POST Funds is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 3, 2002 (27 MoReg 876–877). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program
Chapter 11—Continuing Education Requirements**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under sections 488.5336, 590.050, RSMo Supp. 2001 and 590.178, RSMo 2000, the director rescinds a rule as follows:

11 CSR 75-11.010 Minimum Requirements for Peace Officers and Reserve Officers and Chief Executive Officers is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 3, 2002 (27 MoReg 877). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program
Chapter 11—Continuing Education Requirements**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under section 590.050, RSMo Supp. 2001, the director rescinds a rule as follows:

11 CSR 75-11.020 Requirements for Trainee Attendance and Performance is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 3, 2002 (27 MoReg 877). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program
Chapter 11—Continuing Education Requirements**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under section 590.050, RSMo Supp. 2001, the director rescinds a rule as follows:

11 CSR 75-11.030 Requirements for and Terms of Recognition of Completion of Training **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 3, 2002 (27 MoReg 877-878). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program
Chapter 11—Continuing Education Requirements****ORDER OF RULEMAKING**

By the authority vested in the director of the Department of Public Safety under section 590.050, RSMo Supp. 2001, the director rescinds a rule as follows:

11 CSR 75-11.035 Recognition of Out-of-State Continuing Education Training **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 3, 2002 (27 MoReg 878). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program
Chapter 11—Continuing Education Requirements****ORDER OF RULEMAKING**

By the authority vested in the director of the Department of Public Safety under section 590.050, RSMo Supp. 2001, the director rescinds a rule as follows:

11 CSR 75-11.050 Requirements for the Inactive or Unemployed Peace Officer **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 3, 2002 (27 MoReg 878). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program
Chapter 11—Continuing Education Requirements****ORDER OF RULEMAKING**

By the authority vested in the director of the Department of Public Safety under sections 590.050 and 590.060, RSMo Supp. 2001, the director rescinds a rule as follows:

11 CSR 75-11.060 Application for Initial Probationary and Continuing POST Commission Approval of Continuing Education Providers **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 3, 2002 (27 MoReg 878). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program
Chapter 11—Continuing Education Requirements****ORDER OF RULEMAKING**

By the authority vested in the director of the Department of Public Safety under sections 590.050 and 590.060, RSMo Supp. 2001, the director rescinds a rule as follows:

11 CSR 75-11.070 Procedures for Continuing Education Course Providers **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 3, 2002 (27 MoReg 878-879). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program
Chapter 11—Continuing Education Requirements****ORDER OF RULEMAKING**

By the authority vested in the director of the Department of Public Safety under section 590.050, RSMo Supp. 2001, the director rescinds a rule as follows:

11 CSR 75-11.080 Minimum Requirements, Procedures, and Documentation Required for a POST Mandated In-Service Training Course **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 3, 2002 (27 MoReg 879). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program
Chapter 12—Alternative Methods of Training Delivery****ORDER OF RULEMAKING**

By the authority vested in the director of the Department of Public Safety under sections 590.050, RSMo Supp. 2001, the director rescinds a rule as follows:

11 CSR 75-12.010 Minimum Requirements for Computer-Based Continuing Education Delivery Systems **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 3, 2002 (27 MoReg 879). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program
Chapter 12—Alternative Methods of Training Delivery

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under sections 590.050 and 590.060, RSMo Supp. 2001, the director rescinds a rule as follows:

11 CSR 75-12.020 Procedures for POST Approved Providers Using Computer-Based Training as an Alternative Method of Training Delivery **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 3, 2002 (27 MoReg 879). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program
Chapter 12—Alternative Methods of Training Delivery

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under sections 590.050 and 590.060, RSMo Supp. 2001, the director rescinds a rule as follows:

11 CSR 75-12.030 Procedures for Missouri Law Enforcement Agencies Using Computer-Based Training as an Alternative Method of Training Delivery **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 3, 2002 (27 MoReg 880). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program
Chapter 13—Peace Officer Licenses

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under sections 590.020.2, 590.030.6 and 590.040.2, RSMo Supp. 2001, the director adopts a rule as follows:

11 CSR 75-13.010 Classification of Peace Officer Licenses **is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 3, 2002 (27 MoReg 880). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received one (1) comment on the proposed rule.

COMMENT: Robert James Liebe, III objected to the fact that a class R peace officer license will not be valid for any commission within St. Louis County. Mr. Liebe claims that the proposed rule violates the Hancock and Special Law provisions of the *Missouri Constitution* as well as the Equal Protection clause of the 14th Amendment to the *United States Constitution*. Mr. Liebe requests that all currently serving unlicensed reserve officers be allowed to continue to serve in St. Louis County under a class R license.

RESPONSE: We have reviewed the rule and believe it is constitutionally valid.

Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program
Chapter 13—Peace Officer Licenses

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under sections 590.030.2 and 590.030.4, RSMo Supp. 2001, the director adopts a rule as follows:

11 CSR 75-13.020 Procedure to Obtain New Peace Officer License **is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 3, 2002 (27 MoReg 880-881). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program
Chapter 13—Peace Officer Licenses

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under section 590.030.4, RSMo Supp. 2001, the director adopts a rule as follows:

11 CSR 75-13.030 Procedure to Upgrade Peace Officer License Classification **is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 3, 2002 (27 MoReg 881). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program
Chapter 13—Peace Officer Licenses**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under section 590.030.6, RSMo Supp. 2001, the director adopts a rule as follows:

11 CSR 75-13.040 Relicensing of Expired Peace Officer Licenses is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 3, 2002 (27 MoReg 881-882). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program
Chapter 13—Peace Officer Licenses**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under section 590.030.2, RSMo Supp. 2001, the director adopts a rule as follows:

11 CSR 75-13.050 Missouri Peace Officer License Exam is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 3, 2002 (27 MoReg 882). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program
Chapter 13—Peace Officer Licenses**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under section 590.030.3, RSMo Supp. 2001, the director adopts a rule as follows:

11 CSR 75-13.060 Veteran Peace Officer Point Scale is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 3, 2002 (27 MoReg 882-883). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes

effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program
Chapter 13—Peace Officer Licenses**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under section 590.040.1(5), RSMo Supp. 2001, the director adopts a rule as follows:

11 CSR 75-13.070 Recognition of Federal, Military, and Out-of-State Basic Training is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 3, 2002 (27 MoReg 883). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program
Chapter 13—Peace Officer Licenses**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under section 590.020.2, RSMo Supp. 2001, the director adopts a rule as follows:

11 CSR 75-13.080 Adjustment of Peace Officer License Classification is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 3, 2002 (27 MoReg 883). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program
Chapter 13—Peace Officer Licenses**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under section 590.080.1(6), RSMo Supp. 2001, the director adopts a rule as follows:

11 CSR 75-13.090 Cause to Discipline Peace Officer Licensee is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 3, 2002 (27 MoReg 883-884). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program
Chapter 13—Peace Officer Licenses**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under sections 590.070.1 and 590.070.2, RSMo Supp. 2001, the director adopts a rule as follows:

11 CSR 75-13.100 Notification of Change in Commission Status is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 3, 2002 (27 MoReg 884). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program
Chapter 14—Basic Training Centers**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under section 590.060.2, RSMo Supp. 2001, the director adopts a rule as follows:

11 CSR 75-14.010 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 3, 2002 (27 MoReg 884-885). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received one (1) internal comment.

COMMENTS: The department received one (1) internal comment that the POST Commission did not have the authority to make recommendations to the Director.

RESPONSE AND EXPLANATION OF CHANGE: The department agreed that the POST Commission does not need to make their recommendations to the Director. The language has been removed.

11 CSR 75-14.010 Procedure to Obtain a Basic Training Center License

(7) All new basic training center licenses shall be issued for an initial period of one (1) year. During this initial period, the Director

shall conduct a programmatic audit of the training center. The Director may:

(A) Renew the license for an additional period of one (1) year subject to further audit.

(8) The procedure to renew a three (3)-year license shall be as follows:

(C) The Director shall grant renewal of the applicant's license or deny the applicant's request, which shall cause the license to expire.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program
Chapter 14—Basic Training Centers**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under section 590.060.1, RSMo Supp. 2001, the director adopts a rule as follows:

11 CSR 75-14.020 Minimum Requirements for Basic Training Centers is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 3, 2002 (27 MoReg 885-886). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program
Chapter 14—Basic Training Centers**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under section 590.030.1, RSMo Supp. 2001, the director adopts a rule as follows:

11 CSR 75-14.030 Standard Basic Training Curricula and Objectives is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 3, 2002 (27 MoReg 886). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program
Chapter 14—Basic Training Centers**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under section 590.060.2, RSMo Supp. 2001, the director adopts a rule as follows:

11 CSR 75-14.040 Certification of Basic Training Courses is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 3, 2002 (27 MoReg 886-887). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program
Chapter 14—Basic Training Centers**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under sections 590.030.1 and 590.040.1, RSMo Supp. 2001, the director adopts a rule as follows:

11 CSR 75-14.050 Minimum Standards for a Certified Basic Training Course is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 3, 2002 (27 MoReg 887-888). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program
Chapter 14—Basic Training Centers**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under section 590.060.1, RSMo Supp. 2001, the director adopts a rule as follows:

11 CSR 75-14.060 Eligibility for Entrance into a Basic Training Course is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 3, 2002 (27 MoReg 888). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program
Chapter 14—Basic Training Centers**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under section 590.060.2, RSMo Supp. 2001, the director adopts a rule as follows:

11 CSR 75-14.070 Basic Training Instructor Licenses is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 3, 2002 (27 MoReg 888-889). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program
Chapter 14—Basic Training Centers**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under section 590.060.1, RSMo Supp. 2001, the director adopts a rule as follows:

11 CSR 75-14.080 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 3, 2002 (27 MoReg 889). The section with changes is reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received one (1) internal comment.

COMMENT: The department received one (1) internal comment regarding the word "graduate" in this rule.

RESPONSE AND EXPLANATION OF CHANGE: The department agreed that the word "graduate" be omitted because if you are a Certified First Responder, you are a graduate of the course.

11 CSR 75-14.080 Minimum Requirements for a Basic Training Instructor

(3) To qualify for a specialist license, an instructor shall possess the following qualifications:

(D) A valid, current third-party or secondary license shall be required to qualify as a specialist instructor for any objective related to the following:

1. Tactical Communications if utilizing Verbal Judo, graduate of a Verbal Judo Trainer Course.

2. Hazardous Materials, graduate of a POST recognized Hazardous Materials Training Course.

3. Accident Investigation, graduate of a Basic Accident Investigation School or Accident Reconstruction School.

4. First Aid (First Responder), Certified First Responder or a licensed Emergency Medical Technician (EMT), Emergency Medical Technician Paramedic (EMTP), Registered Nurse (RN), Medical Doctor (MD), or Doctor of Osteopathy (DO).

5. The core curricula areas under Defensive Tactics, graduate of a POST recognized Law Enforcement Defensive Tactics Instructor Course.

6. The core curricula areas under Firearms/Legal Aspects, graduate of a POST recognized Firearms Instructor School of at least forty (40) hours.

7. The core curricula areas under Driver Training, graduate of a POST recognized Drivers Training Instructor Course.

8. Memoranda, Introduction to Report Writing, and Report Writing Exercises, if an individual does not have at least a four (4)

year college degree, they must be a graduate of a POST recognized Report Writing Instructor Course.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program**

Chapter 15—Continuing Education

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under section 590.050.1, RSMo Supp. 2001, the director adopts a rule as follows:

11 CSR 75-15.010 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 3, 2002 (27 MoReg 889–890). The section with changes is reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received one (1) internal comment.

COMMENT: The department received one (1) internal comment regarding the correct punctuation to be used.

RESPONSE AND EXPLANATION OF CHANGE: The period was replaced with a colon.

11 CSR 75-15.010 Continuing Education Requirement

(4) CLEE credit may be obtained from the following sources:

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program**

Chapter 15—Continuing Education

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under section 590.050.1, RSMo Supp. 2001, the director adopts a rule as follows:

11 CSR 75-15.020 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 3, 2002 (27 MoReg 890–891). The section with changes is reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received one (1) internal comment.

COMMENT: One internal comment was received that the CSR number was incorrectly used.

RESPONSE AND EXPLANATION OF CHANGE: The department reviewed the comment and agreed that the CSR number was incorrectly used and changes were made.

11 CSR 75-15.020 Minimum Standards for Continuing Education Training

(7) A source approved to provide a specific CLEE course pursuant to 11 CSR 75-15.040 shall file with the Director a complete attendance list within two (2) weeks following the completion of the course.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program**

Chapter 15—Continuing Education

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under section 590.050.2, RSMo Supp. 2001, the director adopts a rule as follows:

11 CSR 75-15.030 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 3, 2002 (27 MoReg 891–892). The section with changes is reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received one (1) internal comment.

COMMENT: One internal comment was received that the CSR number was incorrectly used.

RESPONSE AND EXPLANATION OF CHANGE: The department reviewed the comment and agreed that the CSR number was incorrectly used and changes were made.

11 CSR 75-15.030 Procedure to Obtain a Continuing Education Provider License

(3) The Peace Officer Standards and Training (POST) Commission shall make a preliminary determination of an applicant's qualifications. The POST Commission may consider any relevant factor, including the applicant's history, facilities and equipment, academic qualifications, financial qualifications, the estimated number of annual graduates, letters of support, and the applicant's need for licensed provider status as opposed to obtaining individual course approval pursuant to 11 CSR 75-15.040.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program**

Chapter 15—Continuing Education

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under section 590.050.2, RSMo Supp. 2001, the director adopts a rule as follows:

11 CSR 75-15.040 Procedure to Obtain Approval for an Individual CLEE Course is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 3, 2002 (27 MoReg 892). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program
Chapter 15—Continuing Education**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under section 590.050.2, RSMo Supp. 2001, the director adopts a rule as follows:

**11 CSR 75-15.050 Out-of-State, Federal, and Organizations
Continuing Education is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 3, 2002 (27 MoReg 892). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program
Chapter 15—Continuing Education**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under section 590.050.2, RSMo Supp. 2001, the director adopts a rule as follows:

**11 CSR 75-15.060 In-Service Continuing Education Training is
adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 3, 2002 (27 MoReg 892-893). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program
Chapter 15—Continuing Education**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under section 590.050.2, RSMo Supp. 2001, the director adopts a rule as follows:

11 CSR 75-15.070 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 3, 2002 (27 MoReg 893). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received one (1) internal comment.

COMMENT: One internal comment was received that the term Computer-Based training needed to be defined.

RESPONSE AND EXPLANATION OF CHANGE: The department agreed that the term needed to be defined and the definition was added to the proposed rule.

**11 CSR 75-15.070 Computer-Based Continuing Education
Training**

(1) Any source approved to provide Continuing Law Enforcement Education (CLEE) training pursuant to 11 CSR 75-15.010(4) may offer interactive, computer-based training.

(2) Computer-based training shall be controlled by an interactive computer program and shall require the student to participate by making responses influencing the pace and/or the direction of the training involving a mode of operation in which there is an exchange of information between the computer and the student.

(3) Computer-based training shall meet all requirements of 11 CSR 75-15.020. In addition, the training certificate presented to each trainee shall bear the phrase "Computer-Based Training."

(4) A computer-based training course shall be considered a complete and detailed lesson plan within itself. Source documents may be identified within the computer course. When a course is no longer available via computer, the provider shall maintain a printed copy of the lesson plan in the course file retained pursuant to 11 CSR 75-15.020(5).

(5) The course administrator shall attest to actual attendance and may ascertain attendance by any reasonably certain method, including tracking by the computer course software, if the tracking meets the standard of this rule. The attendance policy and methodology for ascertaining attendance shall be included in the course record file.

(6) The evaluation plan may include assessment of the student's mastery of the training objectives as part of computer program or may do so by an examination separate from the computer program, such as a written or practical examination. To successfully complete a computer-based training course, a trainee must achieve a test score of at least seventy percent (70%) correct.

(7) The number of CLEE credit hours for a computer-based training course shall be determined as follows:

(A) A test group of at least ten (10) randomly selected peace officers shall complete the course in a timed manner.

(B) The test group times shall be placed in rank order.

(C) The time required for successful completion of the course by eighty percent (80%) of the test group, rounded down to a convenient time interval, shall be the credit hour value of the course.

(D) The credit hour value of the course may be determined by any other method approved in advance by the Director.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards
and Training Program
Chapter 16—Peace Officer Standards and Training
Commission Fund**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under section 590.120, RSMo Supp. 2001, the director adopts a rule as follows:

**11 CSR 75-16.010 Peace Officer Standards and Training
Commission Fund is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 3, 2002 (27 MoReg 893-894). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 2—Income Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 143.961, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-2.005 Questions and Answers is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 15, 2002 (27 MoReg 791-792). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 2—Income Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 143.961, RSMo 2000, the director amends a rule as follows:

12 CSR 10-2.015 Employers' Withholding of Tax is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 1, 2002 (27 MoReg 707). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 2—Income Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 143.961, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-2.040 Transitional Adjustments in Accounting Methods is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 15, 2002 (27 MoReg 792). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 2—Income Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 143.961, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-2.065 Failure to Pay Estimated Tax is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 15, 2002 (27 MoReg 792). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 2—Income Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under sections 143.601, 143.711 and 143.731, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-2.145 Regulation for Computation of Interest on Investment Tax Credit Carryback is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 15, 2002 (27 MoReg 792). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 2—Income Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 143.961, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-2.175 Agricultural Unemployed Person is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 15, 2002 (27 MoReg 792-793). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-3.008 Manufacturers and Wholesalers is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2002 (27 MoReg 707). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax****ORDER OF RULEMAKING**

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-3.031 Dual Operators is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2002 (27 MoReg 707-708). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax****ORDER OF RULEMAKING**

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-3.034 Modular or Sectional Homes is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2002 (27 MoReg 708). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax****ORDER OF RULEMAKING**

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-3.042 State or Federal Concessionaires is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2002 (27 MoReg 708). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax****ORDER OF RULEMAKING**

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-3.044 Labor and Services Rendered is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2002 (27 MoReg 708). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax****ORDER OF RULEMAKING**

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-3.116 Service Station Ownership is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2002 (27 MoReg 708-709). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax****ORDER OF RULEMAKING**

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-3.144 Redemption of Coupons is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2002 (27 MoReg 709). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax****ORDER OF RULEMAKING**

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-3.158 Sale on Installed Basis is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2002 (27 MoReg 709). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

**12 CSR 10-3.179 Separate Taxable Transactions Involving the
Same Tangible Personal Property and the Same Taxpayer is
rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2002 (27 MoReg 709). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-3.233 Export Sales is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2002 (27 MoReg 709-710). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-3.240 Meal Tickets is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 15, 2002 (27 MoReg 793). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

**12 CSR 10-3.245 Exempt Federal, State Agency or Missouri
Political Subdivision—General Requirements is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 15, 2002 (27 MoReg 793). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

**12 CSR 10-3.247 Information Required to be Filed by a Federal,
State Agency or Missouri Political Subdivision Claiming Exemption
is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 15, 2002 (27 MoReg 793). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-3.250 Sales to Missouri is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 15, 2002 (27 MoReg 793-794). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-3.254 Sales to Missouri Political Subdivisions is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 15, 2002 (27 MoReg 794). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax
ORDER OF RULEMAKING**

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-3.256 Sales Other Than Missouri or its Political Subdivisions is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 15, 2002 (27 MoReg 794). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax
ORDER OF RULEMAKING**

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-3.258 Petty Cash Funds is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 15, 2002 (27 MoReg 794). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax
ORDER OF RULEMAKING**

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-3.292 Ingredients or Component Parts is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 15, 2002 (27 MoReg 794–795). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax****ORDER OF RULEMAKING**

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-3.294 Component Parts is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 15, 2002 (27 MoReg 795). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax****ORDER OF RULEMAKING**

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-3.300 Common Carriers is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 15, 2002 (27 MoReg 795). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 8—Inheritance and Estate Tax****ORDER OF RULEMAKING**

By the authority vested in the director of revenue under sections 136.030 and 136.120, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-8.040 Homestead Allowance is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2002 (27 MoReg 710). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 8—Inheritance and Estate Tax****ORDER OF RULEMAKING**

By the authority vested in the director of revenue under sections 136.030 and 136.120, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-8.050 Interest is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2002 (27 MoReg 710). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 8—Inheritance and Estate Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under sections 136.030 and 136.120, RSMo 2000, the director rescinds a rule as follows:

**12 CSR 10-8.060 Payment of Tax—Receipt—Refund
is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2002 (27 MoReg 710). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 8—Inheritance and Estate Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under sections 136.030 and 136.120, RSMo 2000, the director rescinds a rule as follows:

**12 CSR 10-8.070 Probate Court to Determine Tax—Procedure
is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2002 (27 MoReg 710). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 8—Inheritance and Estate Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under sections 136.030 and 136.120, RSMo 2000, the director rescinds a rule as follows:

**12 CSR 10-8.080 Appraisers Duties and Report of Appraisalment is
rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2002 (27 MoReg 711). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 8—Inheritance and Estate Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under sections 136.030 and 136.120, RSMo 2000, the director rescinds a rule as follows:

**12 CSR 10-8.090 Errors in Appraiser's Report—Exceptions to
Appraiser's Report is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2002 (27 MoReg 711). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 8—Inheritance and Estate Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under sections 136.030 and 136.120, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-8.100 Report of Appraiser is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2002 (27 MoReg 711). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 8—Inheritance and Estate Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under sections 136.030 and 136.120, RSMo 2000, the director rescinds a rule as follows:

**12 CSR 10-8.110 Valuation of Life Estates and Remainder—
Methods of Computation—Mortality Table is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2002 (27 MoReg 711). No changes have been made in the proposed rescission, so it is

not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 8—Inheritance and Estate Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under sections 136.030 and 136.120, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-8.130 Exercise of Power of Appointment—Unlimited Power of Encroachment **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2002 (27 MoReg 712). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 8—Inheritance and Estate Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under sections 136.030 and 136.120, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-8.140 Refund **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2002 (27 MoReg 712). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 8—Inheritance and Estate Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under sections 136.030 and 136.120, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-8.150 Mortality Table **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2002 (27 MoReg 712). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 102—Sales/Use Tax—Taxpayers Rights**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director amends a rule as follows:

12 CSR 10-102.016 Refunds and Credits **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 1, 2002 (27 MoReg 712–713). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 108—Sales/Use Tax—Taxable Services**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.020, RSMo Supp. 2001, the director adopts a rule as follows:

12 CSR 10-108.700 Lease or Rental of Tangible Personal Property **is adopted**.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 1, 2002 (27 MoReg 713–715). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
AND SENIOR SERVICES
Division 10—Office of the Director
Chapter 2—Civil Rights Compliance**

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under Governor's Executive Order 87-6 and section 536.023.3, RSMo 2000, the director amends a rule as follows:

19 CSR 10-2.010 Civil Rights Compliance Requirements **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 15, 2002 (27 MoReg 800). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
AND SENIOR SERVICES
Division 10—Office of the Director
Chapter 3—General and Family Physician Loan and
Training Programs**

SUMMARY OF COMMENTS: No comments were received.

ORDER OF RULEMAKING

By the authority vested in the Missouri Department of Health and Senior Services under section 191.607, RSMo Supp. 2001, the director rescinds a rule as follows:

19 CSR 10-3.030 Medical School Loan Repayment Program is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 15, 2002 (27 MoReg 801). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
AND SENIOR SERVICES
Division 10—Office of the Director
Chapter 3—General and Family Physician Loan and
Training Programs**

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under section 191.607, RSMo Supp. 2001, the director adopts a rule as follows:

19 CSR 10-3.030 Health Professional Student Loan Repayment Program is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2002 (27 MoReg 801-804). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
AND SENIOR SERVICES
Division 25—Division of Administration
Chapter 36—Testing for Metabolic Diseases**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health and Senior Services under section 701.322, RSMo Supp. 2001, the director amends a rule as follows:

19 CSR 25-36.010 Testing for Metabolic and Genetic Disorders is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 15, 2002 (27 MoReg 805-806). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

This section may contain notice of hearings, correction notices, public information notices, rule action notices, statements of actual costs and other items required to be published in the *Missouri Register* by law.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT**

Division 100—Division of Credit Unions

**ACTIONS TAKEN ON
APPLICATIONS FOR NEW GROUPS OR
GEOGRAPHIC AREAS**

Pursuant to section 370.081(4), RSMo 2000, the director of the Missouri Division of Credit Unions is required to cause notice to be published that the director has either granted or rejected applications from the following credit unions to add new groups or geographic areas to their membership and state the reasons for taking these actions.

The following applications have been granted. These credit unions have met the criteria applied to determine if additional groups may be included in the membership of an existing credit union and have the immediate ability to serve the proposed new groups or geographic areas. The proposed new groups or geographic areas meet the requirements established pursuant to 370.080(2), RSMo 2000.

Credit Union	Proposed New Group or Geographic Area
SLCWC Credit Union 535 N. New Ballas Road St. Louis, MO 63141-6875	Employees of the Missouri American Water Company located in the State of Missouri and its successor organizations and that employee's immediate family.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT**

Division 100—Division of Credit Unions

**ACTIONS TAKEN ON
APPLICATIONS FOR NEW GROUPS OR
GEOGRAPHIC AREAS**

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The following applications have been granted. These credit unions have met the criteria applied to determine if additional groups may be included in the membership of an existing credit union and have the immediate ability to serve the proposed new groups or geographic areas. The proposed new groups or geographic areas meet the requirements established pursuant to 370.080(2), RSMo 2000.

Credit Union	Proposed New Group or Geographic Area
Edison Credit Union 4200 E. Front Street Kansas City, MO 64120	Active or retired employees of: ACME Signs, Arrowhead Containers, Building Materials Distributors, Columbia Glass and Window Co., Cook Composites and Polymers, Factory Motor Parts, Foley Company, Gallo Fresh Produce, Harvesters Community Food Networks, Highway Trailer Sales, Kansas City Auto Auction, KCI Incorporated, L'il Guys Foods, Midwest Terminal, Midwest Wholesale Hardware, Nakano Foods, Ticket Master of Kansas City, Western Forms, Inc., immediate family members and households of members.

**Title 19—DEPARTMENT OF HEALTH
AND SENIOR SERVICES**

**Division 60—Missouri Health Facilities
Review Committee**

Chapter 50—Certificate of Need Program

EXPEDITED APPLICATION REVIEW SCHEDULE

The Missouri Health Facilities Review Committee has initiated review of the applications listed below. Decisions are tentatively scheduled for September 23, 2002. These applications are available for public inspection at the address shown below:

Date Filed

Project Number: Project Name
City (County)
Cost, Description

07/19/02

#3258 RP: Vintage Park of St. Joseph LLC
St. Joseph (Buchanan County)
\$322,409, Long-term care (LTC) bed expansion through the purchase of 16 residential care facility II beds from Salerno Manor
St. Louis (St. Louis County)

07/30/02

#3286 NS: Bethesda Meadow
Ellisville (St. Louis County)
\$0, Replace 60-bed skilled nursing facility

08/08/02

#3290 RP: Westphalia Retirement Center
Westphalia (Osage County)
\$15,016, LTC bed expansion through the purchase of 16 intermediate care facility beds from Oak Tree Villas, Inc.
Jefferson City (Cole County)

08/09/02

#3314 NS: Community Manor
Farmington (St. Francois County)
\$2,500,000, Renovate and modernize facility

#3310 HS: St. John's Mercy Medical Center
St. Louis (St. Louis County)
\$4,867,997, Replace two linear accelerators

Any person wishing to request a public hearing for the purpose of commenting on any of these applications must submit a written request to this effect, which must be received by September 12, 2002. All written requests and comments should be sent to:

Chairman
Missouri Health Facilities Review Committee
c/o Certificate of Need Program
915 G Leslie Boulevard
Jefferson City, MO 65101

For additional information contact
Donna Schuessler, 573-751-6403.

Construction Transient

The following is a list of all construction contractors performing work on construction projects in Missouri who are known by the Department of Revenue to be transient employers pursuant to Section 285.230, RSMo. This list is provided as a guideline to assist public bodies with their responsibilities under this section that states, "any county, city, town, village or any other political subdivision which requires a building permit for a person to perform certain construction projects shall require a transient employer to show proof that the employer has been issued a tax clearance and has filed a financial assurance instrument as required by Section 285.230 before such entity issues a building permit to the transient employer."

<u>Contractor</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
A & J CONSTRUCTION CO	RT 1 BOX 45	FLORIS	IA	52560
A FISCHER BUILDERS INC	814 OHIO ST	QUINCY	IL	62301
AC LEADBETTER & SON INC	110 ARCO DR	TOLEDO	OH	43615
ACI MECHANICAL CORPORATION	3116 SOUTH DUFF AVE	AMES	IA	50010
ACI MECHANICAL INC	3116 S DUFF AVE	AMES	IA	50010
ADDISON CONSTRUCTION CO	1526 HORSE CREEK RD	CHEYENNE	WY	82009
ADUDDLE ROOFING & SHEET METAL INC	14220 S MERIDIAN	OKLAHOMA	OK	73173
ADVANCED ELECTRICAL SYSTEMS INC	33867 W 287TH ST	PAOLA	KS	66071
ADVANCED PROTECTIVE COATING INC	2530 BAYARD ST	KANSAS CITY	KS	66105
AEI INC	735 GLASER PKWY	AKORN	OH	44306
AGRA FOUNDATIONS INC	10108 32ND AVE W C-3 #A2	EVERETT	WA	98204
AIDE INC	2510 WADE HAMPTON BLVD	GREENVILLE	SC	29606
AKI CONTROL SYSTEMS INC	P O BOX 444	WALLER	TX	77484
ALLIANCE ENTERPRISES INC	5421 PENINSULA DR S E	OLYMPIA	WA	98513
ALLIANCE INTEGRATED SYSTEMS INC	1500 STUDEMONT	HOUSTON	TX	77007
ALLIED UNIKING CORPORATION INC	4750 CROMWELL AVE	MEMPHIS	TN	38118
ALLSTATE SPECIALTY CONSTRUCTION INC	32700 W 255TH ST	PAOLA	KS	66071
AMERICAN IRONWORKS INC	100 S MAIN	CUTLER	IL	62238
AMERICAN MASONRY CO	1016 W EUCLID	PITTSBURG	KS	66762
AMERICASDOCTOR.COM COORDINATORS SERVICES INC	3315 S 23RD STR 108	TACOMA	WA	98405
ANDERSEN TRENCHING & EXCAVATING INC	17263 SUMAC RD	HONEY CREEK	IA	51542
ANGELO IAFRATE CONSTRUCTION COMPANY	26400 SHERWOOD	WARREN	MI	48091
ANTIGO CONSTRUCTION INC	2520 N CLERMONT ST	ANTIGO	WI	54409
API INC	2366 ROSE PL	ST PAUL	MN	55113
APPLICATION CONTRACTORS SERVICES IN	14409 W EDISON DR #13A	NEW LENOX	IL	60451
APPLIKON INC	1165 CHESS DR STE G	FOSTER CITY	CA	94404
ARCHITECTURAL GLAZING PROFESSIONALS	11655 CLARE RD	OLATHE	KS	66061
ARGUSS COMMUNICATIONS GROUP INC	DOVER RD	EPSOM	NH	03234
ARKANSAS CONTRACTORS	1308 CHURCH	BARLING	AR	72952
ARNOLD & MADSON INC	1995 CENTURY AVE SO	WOODBURY	MN	55125
ASPHALT STONE COMPANY	520 N WEBSTER	JACKSONVILLE	IL	62650
ATLAS INDUSTRIAL HOLDINGS LLC	5275 SINCLAIR RD	COLUMBUS	OH	43229
AUTOMATIC FIRE SPRINKLER LLC	3315 N 124TH ST STE B	BROOKFIELD	WI	53005

<u>Contractor</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
AUTRY CONSTRUCTION INC	140 E 3RD	BAXTER SPRINGS	KS	66713
B & B CONTRACTORS INC	13745 SEMINOLE DR	CHINO	CA	91710
B & B DRYWALL CO INC	10567 WIDMER	LENEXA	KS	66215
B & B PERMASTORE INC	6750 W 75TH STE 1A	OVERLAND PARK	KS	66204
B & D SERVICES	4018 NEW YORK RD	NASHVILLE	IL	62262
B C U ELECTRIC INC	1019 US 250 N	ASHLAND	OH	44805
BADGER INDUSTRIAL CONTRACTORS INC	105 FAIRVIEW RD	ASHEVILLE	NC	28803
BAKER CONCRETE CONSTRUCTION INC	900 N GARVER RD	MONROE	OH	45050
BALL CONSTRUCTION INC	13922 WEST 108TH ST	LENEXA	KS	66215
BANKERS EDGE	1288 VALLEY FORGE STE 50	VALLEY FORGE	PA	19482
BARROWS EXCAVATION INC	49 COUNTY RD #404	BERRYVILLE	AR	72616
BARTLETT NUCLEAR INC	60 INDUSTRIAL PARK RD	PLYMOUTH	MA	02360
BASTIAN MATERIAL HANDLING	9820 ASSOCIATION CT	INDIANAPOLIS	IN	46280
BAZIN EXCAVATING INC	15233 BROADMOOR	OVERLAND PARK	KS	66283
BE & K ENGINEERING COMPANY	2000 INTERNATIONAL PK DR	BIRMINGHAM	AL	35243
BENCHMARK INC	6065 HUNTINGTON CT NE	CEDAR RAPIDS	IA	52402
BERNIE JANNING TERRAZZO & TILE INC	17509 HWY 71	CARROLL	IA	51401
BEST PLUMBING & HEATING	421 SECTION OD	SCAMMON	KS	66773
BEW CONSTRUCTION CO INC	1319 MAIN ST	WOODWARD	OK	73801
BILL DAVIS ROOFING LC	628 VERMONT	LAWRENCE	KS	66044
BJ ERECTION CORPORATION	16626 MILES AVE	CLEVELAND	OH	44128
BLACKSHIRE CONSTRUCTION INC	ROUTE 14 BOX 942	ELIZABETH	WV	26143
BLAZE MECHANICAL INC	15755 S 169 HWY STE E	OLATHE	KS	66062
BLICKS CONSTRUCTION CO INC	LOCK & DAM RD	QUINCY	IL	62301
BOB FLORENCE CONTRACTOR INC	1934 S KANSAS AVE	TOPEKA	KS	66612
BOH BROS CONSTRUCTION CO LLC	730 S TONTI ST	NEW ORLEANS	LA	70119
BONNEVILLE CONSTRUCTION CO INC	4075 W DESERT INN RD # B	LAS VEGAS	NV	89102
BOYD ELECTRIC INC	3315 N 70TH ST	KANSAS CITY	KS	66109
BRADEN CONSTRUCTION SERVICES INC	5110 N MINGO RD	TULSA	OK	74117
BRB CONTRACTORS INC	400 W CURTIS	TOPEKA	KS	66608
BRINK ELECTRIC CONSTRUCTION CO	2950 N PLAZA DR	RAPID CITY	SD	57702
BRUCE TRUCKING AND EXCAVATING INC	4401 HWY 162	GRANITE CITY	IL	62040
BUCKLEY ROOFING CO INC	3601 N HYDRAULIC	WICHITA	KS	67219
BUILDINGS INC	235 SOUTH 40TH	SPRINGDALE	AR	72765
BUILT WELL CONSTRUCTION CO	MAIN ST HWY 279 S	HIWASSE	AR	72739
C & C CONTRACTING INC	222 SOUTH SECOND ST	ORLEANS	IN	47452
C IBER & SONS INC	3212 N MAIN	EAST PEORIA	IL	61611
CABLE CONSTRUCTORS INC	105 KENT ST	IRON MOUNTAIN	MI	49801
CAPE ENVIRONMENTAL MANAGEMENT INC	2302 PARKLAKE DR STE 200	ATLANTA	GA	30345
CAPITAL INSULATION INC	3210 NE MERIDEN RD	TOPEKA	KS	66617
CARNEY DEMOLITION	303 S HALSTED	CHICAGO	IL	60661

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CAROLLO ENGINEERS A PROFESSIONAL CORPORATION	3877 N SEVENTH ST #400	PHOENIX	AZ	85014
CARTER MOORE INC	1865 E MAIN ST STE F	DUNCAN	SC	29334
CAS CONSTRUCTION INC	501 NE BURGESS	TOPEKA	KS	66608
CASE FOUNDATION CO	1325 W LAKE ST	ROSELLE	IL	60172
CASHATT & SONS CORP	BOX 74	RED OAK	IA	51566
CCC GROUP INC	5797 DIETRICH RD	SAN ANTONIO	TX	78219
CDK CONTRACTING COMPANY	800 S HUTTON RD	FARMINGTON	NM	87401
CDK SKANSKA INC	800 S HUTTON RD	FARMINGTON	NM	87401
CENTRAL CEILING SYSTEMS INC	105 INDUSTRIAL PARK	DEERFIELD	WI	53531
CENTRAL FOUNDATION INC	915 MARION RD S	CENTRAL CITY	IA	52214
CENTRAL ILLINOIS TILE CO	3302 N MATTIS AVE	CHAMPAIGN	IL	61821
CENTRAL STATES CONTRACTING INC	1007 COURT	CLAY CENTER	KS	67432
CENTRAL STATES CONTRACTING SERVICES	610 S 78TH ST	KANSAS CITY	KS	66111
CENTRAL STATES ENVIRONMENTAL SERVIC	609 AIRPORT ROAD	CENTRALIA	IL	62801
CENTURY MECHANICAL CONTRACTORS INC	15480 S 169 HWY	OLATHE	KS	66051
CHALLENGE CONSTRUCTION	PO BOX 1509	MANVEL	TX	77578
CHANCE CONSTRUCTION CO	ITALY & BARBER ST	HEMPHILL	TX	75948
CHANCELLOR & SON INC	7474 RALEIGH LAGRANGE RD	CORDOVA	TN	38018
CHESTER PHILLIPS CONSTRUCTION COMPANY	1501 N UNIVERSITY STE 740	LITTLE ROCK	AR	72207
CLARK CORPORATION THE	141 CATHERINE ST	EAST PEORIA	IL	61611
CLEVINGER CONTRACTORS INC	NAPLES LANE RR1 PO BOX 19	BLUFFS	IL	62621
COAST TO COAST BUILDERS INC	750 E FUNSTON	WICHITA	KS	67211
COASTAL GUNITE CONSTRUCTION CO	16 WASHINGTON ST	CAMBRIDGE	MD	21613
COLLECTOR WELLS INTERNATIONAL INC	6360 HUNTLEY RD	COLUMBUS	OH	43229
COMMERCIAL CONTRACTING CO OF SAN AN	5797 DIETRICH RD	SAN ANTONIO	TX	78219
COMMERCIAL CONTRACTORS INC	729 LINCOLN AVE	HOLLAND	MI	49423
COMO TECH INSPECTIONS INC	40 DEEP CREEK RD	MANHATTAN	KS	66502
CONLEY SPRINKLER INC	822 MAIN	PLEASANTON	KS	66075
CONSTRUCTION MANAGEMENT INC	108 JACKMAN ST	GEORGETOWN	MA	01833
CONSTRUCTION MARKET DATA GROUP INC	275 WASHINGTON ST	NEWTON	MA	02458
CONSTRUCTION SERVICES BRYANT INC	232 NEW YORK ST	WICHITA	KS	67214
CONTRACT DEWATERING SERVICES INC	5820 W RIVERSIDE DR	SARANAC	MI	48881
CONTRACTOR SERVICES INC	122 EAST 17TH ST	DAVENPORT	IA	52808
COOPERS STEEL FABRICATORS	503 N HILLCREST DR	SHELBYVILLE	TN	37162
CORNERSTONE COMMERCIAL CONTRACTORS	1260 JERICO	CORNING	IA	50841
CORONA POWER SERVICES INC	5220 MINOLA DR	LITHONIA	GA	30038
CORONADO INC	1835 WALL ST	SALINA	KS	67401
COST OF WISCONSIN INC	W172N13050 DIVISION RD	ROCKFIELD	WI	53077
COWARTS CONSTRUCTION COMPANY INC	223 AIRPORT RD	SALEM	AR	72576
CRANE CONSTRUCTION COMPANY LLC	343 WAINWRIGHT DR	NORTHBROOK	IL	60062
CREEK ELECTRIC INC	2811 W PAWNEE ST	WICHITA	KS	67213

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CRONISTER & COMPANY INC	FORBES FIELD BL 281 UNT E	TOPEKA	KS	66619
CROSSLAND HEAVY CONTRACTORS INC	S HWY 69	COLUMBUS	KS	66275
CROWN CORR INC	7100 W 21ST AVE	GARY	IN	46406
CUNNINGHAM INC	112 6TH AVENUE W	OSKALOOSA	IA	52577
CUST O FAB FIELD SERVICE LLC	1900 N 161ST E AVE	TULSA	OK	74116
CUST O FAB TANK SERVICES LLC	1900 N 161ST E AVE	TULSA	OK	74116
CUSTOMER CARE SOLUTIONS	1 IRVINGTON CTR 700 KING	ROCKVILLE	MD	20850
CUTCO INC	RR 1 BOX 121	WYOMING	IL	61491
D & D PIPELINE CONSTRUCTION CO INC	4700 W HWY 117	SAPULPA	OK	74066
DALRYMPLE & CO	3675 S NOLAND RD STE 102	INDEPENDENCE	MO	64055
DANNYS CONSTRUCTION CO INCORPORATED	1066 WEST THIRD AVENUE	SHAKOPEE	MN	55379
DAVCO CORPORATION OF TENNESSEE	5384 POPLAR AVE STE 501	MEMPHIS	TN	38119
DAVID A NICE BUILDERS INC	4571 WARE CREEK ROAD	WILLIAMSBURG	VA	23188
DAVIS ELECTRICAL CONSTRUCTORS INC	429 N MAIN ST	GREENVILLE	SC	29602
DCG PETERSON BROTHERS COMPANY	5005 S HWY 71	SIOUX RAPIDS	IA	50585
DDD COMPANY	8000 CORPORATE DR STE 100	LANDOVER	MD	20785
DELCO ELECTRIC INC	7615 N CLASSEN BLVD	OKLAHOMA CITY	OK	73116
DELPHI AUTOMOTIVE SYSTEMS HUMAN RESOURCES LLC	P O BOX 62410	PHOENIX	AZ	85082
DEMCO INC	238 LEIN RD	BUFFALO	NY	14224
DIAMOND CONSTRUCTION COMPANY	2000 N 18TH ST	QUINCY	IL	62301
DIAMOND ELECTRIC SERVICE INC	21325 W 105TH ST	OLATHE	KS	66061
DIAMOND SURFACE INC	13792 REIMER DR N	MAPLE GROVE	MN	55311
DIG AMERICA UTILITY CONTRACTING INC	606 25TH AVE SO STE 202	ST CLOUD	MN	56301
DIMENSIONAL TECHNOLOGY INC	6717 LINDEN LN	HUNTLEY	IL	60142
DIVINE INC	2310 REFUGEE RD	COLUMBUS	OH	43207
DL SMITH ELECTRICAL CONSTRUCTION INC	1405 SW 41ST ST	TOPEKA	KS	66609
DOBSON DAVIS COMPANY	8521 RICHARDS RD	LENEXA	KS	66215
DOME CORPORATION OF NORTH AMERICA	5450 EAST ST	SAGINAW	MI	48601
DON BELL HOMES INC	11599 N RIDGEVIEW	OLATHE	KS	66061
DONALD E MCNABB COMPANY INC	31250 S MILFORD RD	MILFORD	MI	48381
DOSTER CONSTRUCTION CO INC	2619 COMMERCE BLVD	BHAM	AL	35210
DOUBLE O MASONRY INC	722 S 260TH ST	PITTSBURG	KS	66762
DRAINAGE & GROUND IMPROVEMENT INC	275 MILLERS RUN RD	BRIDGEVILLE	PA	15017
DUAL TEMP ILLINOIS INC	3801 S SANGAMON ST	CHICAGO	IL	60609
DUOING ENTERPRISES INC	1910 ESTELLE LANE	PLACENTIA	CA	92870
DUSTROL INC	GEN DEL	EL DORADO	KS	67042
DW PROEHL CONSTRUCTION INC	818 N HELEN AVE	SIOUX FALLS	SD	57104
EASYBAR BEVERAGE CONTROLS	19799 SW 95TH PLACE STE A	TUALATIN	OR	97062
EATHERLY CONSTRUCTORS INC	2204 W MARY ST	GARDEN CITY	KS	67846
ECONOMY ELECTRICAL CONTRACTORS	101 CENTURY 21 DR #204	JACKSONVILLE	FL	32216
EDWARD KRAEMER & SONS INC	ONE PLAINVIEW RD	PLAIN	WI	53577

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ELCON CONSTRUCTION LLC	12221 DIXIE	REDFORD	MI	48239
ELECTRICAL LINE SERVICES INC	14200 S TULSA DR	OKLAHOMA CITY	OK	73170
ENERGY DELIVERY SERVICES INC	3909 W FIFTH ST	CHEYENNE	WY	82003
ENERGY SYSTEMS GROUP LLC	101 PLAZA E BLVD 320	EVANSVILLE	IN	47715
ENTERPRISE STAFF SOLUTIONS INC	2926 RIDGEWAY RD	MEMPHIS	TN	38115
ENTRUP DRYWALL & PAINTING INC	3 BLUFF VIEW RD	QUINCY	IL	62301
ENVIRONMENTAL SYSTEMS DESIGN INC	175 W JACKSON BLVD 1400	CHICAGO	IL	60604
EQUUS METALS	1415 S JOPLIN AVE	TULSA	OK	74112
ER HOKE CONSTRUCTION CO INC	5 MILES W RTE 36	TUSCOLA	IL	61953
ERVIN CABLE CONSTRUCTION INC	260 N LINCOLN BLVD E	SHAWNEETOWN	IL	62984
ESCO ELECTRICAL SERVICES INC	520 E MAIN	EL DORADO	AR	71730
EVCO NATIONAL INC	339 OLD ST LOUIS RD	WOOD RIVER	IL	62095
EXXEL PACIFIC INC	323A TELEGRAPH RD	BELLINGHAM	WA	98226
FABCON INCORPORATED	6111 WEST HIGHWAY 13	SAVAGE	MN	55378
FABCON LLC	3400 JACKSON PIKE	GROVE CITY	OH	43123
FALCON ELECTRIC INC	100 NORTH FIRST ST	CLARKSBURG	WV	26301
FARABEE MECHANICAL INC	P O BOX 1748	HICKMAN	NE	68372
FAYETTEVILLE PLUMBING & HEATING CO INC	P O BOX 1061	FAYETTEVILLE	AR	72702
FEDERAL FIRE PROTECTION INC	805 SECRETARY DR STE A	ARLINGTON	TX	76015
FIBREBOND RESOURCES INC	1300 DAVENPORT DR	MINDEN	LA	71055
FISHEL COMPANY THE	1810 ARLINGATE LN	COLUMBUS	OH	43228
FJW GROUP INC	905 W MITCHELL	ARLINGTON	TX	76013
FLOOR CRETE ENTERPRISES INC	6223 GESSNER DR	HOUSTON	TX	77041
FOLTZ CONSTRUCTION INC	BOX 38	PATOKA	IL	62875
FOLTZ WELDING PIPELINE MAINTENANCE	501 E CLINTON AVE	PATOKA	IL	62875
FORD CONTRACTING CORP	1307 E COURT ST	DYERSBURG	TN	38024
FREDERICK HAMILTON RHYS MANAGEMENT GROUP	310 CRABAPPLE COURT	ALPHARETTA	GA	30004
FREESIN INC	316 S PEARL	BLUFFS	IL	62621
GALACTIC TECHNOLOGIES INC	400 N LOOP 1604 E STE 210	SAN ANTONIO	TX	78232
GAMMA CONSTRUCTION COMPANY	2808 JOANEL	HOUSTON	TX	77027
GARY SANDERS MASONRY	109 AVE F	WEST POINT	IA	52656
GEISSLER ROOFING CO INC	612 S 3RD ST	BELLEVILLE	IL	62220
GENE FRITZEL CONSTRUCTION COMPANY I	628 VERMONT	LAWRENCE	KS	66044
GENE FRITZEL CONSTRUCTION SERVICES	628 VERMONT	LAWRENCE	KS	66044
GFV CONSTRUCTION CO	733 CARPENTERS WAY #32	LAKELAND	FL	33809
GIBALTAR CONSTRUCTION CO INC	42 HUDSON ST STE A207	ANNAPOLIS	MD	21401
GINGHER PROCESS PIPING INC	3011 N MAIN ST	EAST PEORIA	IL	61611
GLEESON CONSTRUCTORS INC	2015 E 7TH ST	SIOUX CITY	IA	51105
GLENN H JOHNSON CONSTRUCTION CO	2521 GROSS POINT RD	EVANSTON	IL	60201
GLOBAL COMPUTER ASSOCIATES INC	3 GARRET MOUNTAIN PLAZA	WEST PATERSON	NJ	07424
GOERLICH ROOFING INC	4400 HARRISON	QUINCY	IL	62301
GOLEY INC	P O BOX 309	DUPO	IL	62239

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GORDONS ENHANCED TECHNOLOGY MARKETING INC	4500 RATLIFF LN #108	ADDISON	TX	75001
GRAYLING INCORPORATED	10258 SANTA FE DR	OVERLAND PARK	KS	66212
GRAZZINI BROS COMPANY	620 16TH AVE S	MINNEAPOLIS	MN	55454
GREAT SOUTH CONSTRUCTION CO INC	2500 HWY 31 SOUTH	PELHAM	AL	35124
GREAT SOUTHWESTERN CONSTRUCTION INC	6880 SO I 25	CASTLE ROCK	CO	80104
GULF SOUTH CONSTRUCTION INC	1101 MACY DR	ROSWELL	GA	30076
H & H SYSTEMS & DESIGN INC	130 EAST MAIN ST	NEW ALBANY	IN	47150
H & L ELECTRIC INC	8651 E HIGHWAY 24	MANHATTAN	KS	66502
H & M CONSTRUCTION CO INC	431 LIBERTY ST	MILAN	TN	38358
H&H DRYWALL SPECIALTIES INC	5200 S YALE STE 610	TULSA	OK	74135
HARBERT YEARGIN INC	105 EDINBURGH CR	GREENVILLE	SC	29607
HARDAWAY CONSTRUCTION CORP OF TENNE	615 MAIN STREET	NASHVILLE	TN	37206
HARNESS ROOFING INC	P O BOX 1382	HARRISON	AR	72601
HART PAINTING	2555 SW 50	OKLAHOMA CITY	OK	73119
HENNING CONSTRUCTION COMPANY	5870 MERLE HAY RD	JOHNSTON	IA	50131
HERITAGE HOUSING DEVELOPMENT INC	16133 VENTURA BLVD #965	ENCINO	CA	91436
HERMAN STEWART CONSTRUCTION & DEVEL	4550 FORBES BLVD	LANHAM	MD	20706
HOGUE HORN & PASHMAN INC	922 MISSOURI	LAWRENCE	KS	66044
HOKE ELECTRICAL	P O BOX 170	TUSCOLA	IL	61953
HOLIAN ASBSTS RMVL & ENCPSTN CORP	7504 MEYER RD	SPRING GROVE	IL	60081
HOLLIS ROOFING INC	P O BOX 2229	COLUMBUS	MS	39704
HORIZONTAL BORING & TUNNELING CO	505 S RIVER AVE	EXETER	NE	68351
HOSPITALITY BUILDERS INC	PO BOX 1565	ABERDEEN	SD	57402
HUEGERICH CONSTRUCTION INC	512 N COURT	CARROLL	IA	51401
HUFF SEALING CORPORATION	HWY 15E	ALBION	IL	62806
HUSTON CONTRACTING INC	25640 W 143RD ST	OLATHE	KS	66061
HUTTON CONTRACTING CO INC	HWY 50	LINN	MO	65051
HUXTABLE KC SERVICE INC	16210 W 108TH	LENEXA	KS	66219
HY VEE WEITZ CONSTRUCTION LC	1501 50TH ST BLDG 1 #325	WEST DES MOINES	IA	50266
HYMAN PLUMBING COMPANY	9880 LOST LANE	CHAPPELL HILL	TX	77426
ILLINI MECHANICAL INC	1024 LOWRY	PITTSFIELD	IL	62363
INDUSTRIAL MAINTENANCE CONTRACTORS INC	2301 GARDEN CITY HWY	MIDLAND	TX	79701
INDUSTRIAL POWER & PROCESS CORP	P O BOX 38995	GREENSBORO	NC	27438
INDUSTRIAL PROCESS TECHNOLOGY INC	2213 7TH AVE N	FARGO	ND	58108
INDUSTRY SERVICES CO INC	5550 TODD ACRES DR	MOBILE	AL	36619
INGRAM CONSTRUCTION COMPANY INC OF	173 HOY RD	MADISON	MS	39110
INNOVATIVE SYSTEMS OF KANSAS INC	2915 STRONG AVE	KANSAS CITY	KS	66106
INSTALLED PRODUCTS USA LLC	207 KELSEY LANE SUITE G	TAMPA	FL	33619
INSTITUTE OF NUCLEAR POWER OPERATIONS	700 GALLERIA PKWY	ATLANTA	GA	30339
INTEC SERVICES INC	454 LINK LN	FT COLLINS	CO	80522
INTERSTATES ELEC & ENGINEERING	1520 INDUSTRIAL PARK	SIOUX CENTER	IA	51250

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INTL BROTHERHOOD OF ELECTRICAL WORK	106 N MONROE ST	WEST FRANKFORT	IL	62896
IRONDALE INDUSTRIAL CONTRACTORS	BOX 100099	BIRMINGHAM	AL	35210
IVEY MECHANICAL CO A PARTNERSHIP	514 NORTH WELLS ST	KUSCIUSKO	MS	39090
J & J CONSTRUCTION & SUPPLY INC	1136 W KANSAS	MCPHERSON	KS	67460
J & J MAINTENANCE INC	3755 CAPITAL OF TX HWY S	AUSTIN	TX	78704
J W BUCK CONSTRUCTION CO INC	4103 FRANDFORD AVE	LUBBOCK	TX	79407
JAMES N GRAY CONSTRUCTION CO	250 W MAIN ST	LEXINGTON	KY	40507
JANSSEN GLASS & MIRROR INC	5002 HADLEY	OVERLAND PARK	KS	66202
JAY MCCONNELL CONSTRUCTION INC	8242 MARSHALL DR	LENEXA	KS	66214
JD FRANKS INC	1602 S BELTINE ROAD	DALLAS	TX	75253
JE CAMPBELL INC	HWY 45E SOUTH	SOUTH FULTON	TN	38257
JF BRENNAN CO INC	820 BAINBRIDGE ST	LA CROSSE	WI	54603
JMC CONSTRUCTION INC	9893 UNIVERSITY DR STE119	MCKINNEY	TX	75070
JOEL FRITZEL BUILDERS INC	3320 CLINTON PARKWAY CT	LAWRENCE	KS	66047
JOHANSEN DRAINAGE & TILE	RT 1 BOX 152	RULO	NE	68431
JOHN A PAPALAS & CO	1187 EMPIRE	LINCOLN PARK	MI	48146
JOHN E GREEN COMPANY	220 VICTOR AVE	HIGHLAND PARK	MI	48203
JOHN T JONES CONSTRUCTION CO	2213 7TH AVE NORTH	FARGO	ND	58108
JOHNSON INDUSTRIAL SERVICES INC	200 BENTLEY CIR	SHELBY	AL	35143
JOLLEY CONSTRUCTION COMPANY	6148 LEE HWY STE 200	CHATTANOOGA	TN	37421
JOMAX CONSTRUCTION COMPANY INC	S 281 HWY	GREAT BEND	KS	67530
JONES HYDROBLAST INC	P O BOX 309	ROYALTON	IL	62983
JONESBORO EQUIPMENT & SERVICE CO	3441 KNIGHT ARNOLD	MEMPHIS	TN	38118
JR STELZER CO	5850 RUSSELL DR	LINCOLN	NE	68507
JULIAN CONSTRUCTION COMPANY	15521 W 110TH ST	LENEXA	KS	66219
JULIUS KAAZ CONSTRUCTION COMPANY IN	716 CHEROKEE	LEAVENWORTH	KS	66048
K & M ELECTRICAL CONTRACTORS INC	940 COMMERCIAL SUITE B	ATCHISON	KS	66002
KAJIMA ASSOCIATES INC	900 SYLVAN AVE	ENGLEWOOD CLIFF	NJ	07632
KAJIMA CONSTRUCTION SERVICES INC	900 SYLVAN AVE	ENGLEWOOD CLIFF	NJ	07632
KANSAS BUILDING SYSTEMS INC	1701 SW 41ST	TOPEKA	KS	66609
KASBOHM CUSTOM DRILLING INC	11404 OAKTON RD	SAVANNA	IL	61074
KAYTON ELECTRIC INC	PO BOX 27	HOLDREGE	NE	68949
KEARNEY & SON CONSTRUCTION INC	2500 NORTH 7TH ST	LAWRENCE	KS	66044
KEARNEY ELECTRIC INC	3609 E SUPERIOR AVE	PHOENIX	AZ	85040
KEITH AUSTIN	3001 WEDINGTON DR #106	FAYETTEVILLE	AR	72701
KELLEY DEWATERING & CONSTRUCTION CO	5175 CLAY AVENUE SW	WYOMING	MI	49548
KELLY CONSTRUCTION INC	P O BOX 32152	OKLAHOMA CITY	OK	73123
KENJURA TILE INC	BOX 158	BRENHAM	TX	77834
KEOKUK CONTRACTORS INC	853 JOHNSON ST RD	KEOKUK	IA	52632
KG MOATS & SONS	9515 US HWY 63	EMMETT	KS	66422
KGL ASSOCIATES INC	759 ADAMS ST	DENVER	CO	80206
KING LAR COMPANY	2020 E OLIVE STREET	DECATUR	IL	62525

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KINLEY CONSTRUCTION COMPANY	201 N UNION ST BNK RM 502	OLEAN	NY	14760
KNICKERBOCKER CONSTRUCTION INC	4823 LAKEWOOD DR	NORWALK	IA	50211
KUHLMAN REFRIGERATION INC	N56W16865 RIDGEWOOD 100	MENOMONEE FALLS	WI	53051
KURISU INTERNATIONAL INC	11125 SW BARBUR BL	PORTLAND	OR	97219
L & L INSULATION & SUPPLY CO	3305 SE DELAWARE AVE	ANKENY	IA	50021
L E BELL CONSTRUCTION COMPANY INC	1226 COUNTY ROAD 11	HEFLIN	AL	36264
LAKE CONTRACTING INC	4650 STONE CHURCH RD	ADDIEVILLE	IL	62214
LAKEVIEW CONSTRUCTION OF WISCONSIN	10505 CORPORATE DR #200	PLEASANT PRAIRIE	WI	53158
LARRY COX CONSTRUCTION	50 FORT COX RD	HEBER SPRINGS	AR	72543
LEMAR CONSTRUCTION	2829 BRADY ST	DAVENPORT	IA	52803
LESSARD NYREN UTILITIES INC	17385 FOREST BLVD N	HUGO	MN	55038
LH SOWLES CO	2813 BRYANT AVE S	MINNEAPOLIS	MN	55408
LICAUSI CONSTRUCTION COMPANY	8301 W 125TH ST	OVERLAND PARK	KS	66213
LIFE SAFETY INC	12428 VETERANS MEM PKWY	LAFAYETTE	AL	36862
LIMBAUGH CONSTRUCTION CO INC	4186 HWY 162	GRANITE CITY	IL	62040
LIN R ROGERS ELECTRICAL CONTRACTORS	2050 MARCONI DR STE 200	ALPHARETTA	GA	30005
LITTLE ROCK ELECTRICAL CONTRACTORS	13008 LAWSON RD	LITTLE ROCK	AR	72210
LONG CONSTRUCTION INC	1600 E SUNVALE DR	OLATHE	KS	66062
LONGAN CONSTRUCTION COMPANY	1635 US HWY 59 N	GROVE	OK	74344
LPR CONSTRUCTION CO	1171 DES MOINES AVE	LOVELAND	CO	80537
LUNDA CONSTRUCTION CO	620 GEBHARDT RD	BLACK RIVER FALLS	WI	54615
LVI ENVIRONMENTAL SERVICES	225 FENCL LANE	HILLSIDE	IL	60162
M A MORTENSON CO	700 MEADOW LN N	MINNEAPOLIS	MN	55422
MAGUIRE IRON INC	300 W WALNUT BOX 1446	SIOUX FALLS	SD	57101
MARATHON BUILDERS INC	4144 N CENTRAL #660	DALLAS	TX	75204
MARICK INC	1710 2ND AVE	DES MOINES	IA	50314
MARRS ELECTRIC INC OF ARKANSAS	701 KAWNEER DR	SPRINGDALE	AR	72764
MARSHALL CONSTRUCTION INC	17739 CARTWRIGHT MTN RD	MOUNTAINBURG	AR	72946
MASCO CONTRACTOR SERVICE CENTRAL INC	2339 BEVILLE RD	DAYTONA BEACH	FL	32119
MASTER ELECTRIC INC	3225 AIRBASE RD	MOUNTAIN HOME	ID	83647
MAX TRUE FIREPROOFING CO	6500 S 39TH AVE	TULSA	OK	74132
MBK CONSTRUCTION LTD	175 TECHNOLOGY	IRVINE	CA	92718
MCBRIDE ELECTRIC INC	3215 E 9TH N	WICHITA	KS	67208
MCCARTIN MECHANICAL CONTRACTOR INC	2999 PARKWAY DR	DECATUR	IL	62526
MCINNIS BROTHERS CONSTRUCTION INC	119 PEARL ST	MINDEN	LA	71058
MCKNIGHT MASONRY	5319 ROSEWOOD DR	ROELAND PARK	KS	66205
MCMASTER CONSTRUCTION INC	138 NE 46TH	OKLAHOMA CITY	OK	73105
MCPHERSON WRECKING INC	2333 BARTON RD	GRANTVILLE	KS	66429
MEADOWS CONSTRUCTION CO INC	1014 FRONT ST	TONGANOXIE	KS	66086
MERIVIC INC	1050 A W JEFFERSON	MORTON	IL	61550
MERRELL BROS INC	8811 W 500 N	KOKOMO	IN	46901
METAL ROOFING SPECIALISTS INC	933 FILLMORE	FREDONIA	KS	66736

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METRIC VISION	8500 CINDER BED RD STE150	NEWINGTON	VA	22122
MEYERS TURF FARMS INC	19055 METCALF	STILWELL	KS	66085
MICHAEL CONSTRUCTION CO INC	SECONDARY RT 79 BOX 143	DRY BRANCH	WV	25061
MICRO PAVERS INC	127 FAUBER RD	E PEORIA	IL	61611
MID AMERICA ROOFING CONSTRUCTION &	1035 N 69 HWY	FRONTENAC	KS	66763
MID AMERICA SERVICES INC	3981 STATE RT 3 NORTH	CHESTER	IL	62233
MID CO CONTRACTORS INC	P O BOX 391	FORT SCOTT	KS	66701
MID CONTINENTAL RESTORATION CO INC	PO BOX 429	FORT SCOTT	KS	66701
MIDLAND WRECKING INC	15 HENNING	LENEXA	KS	66215
MIDWEST CONSTRUCTION SYSTEMS INC	100 MAIN ST STE 504	LITTLE ROCK	AR	72201
MIDWEST PUMP & EQUIPMENT CO	2300 S 7TH ST	LINCOLN	NE	68502
MIDWEST TOWERS INC	2806 COUNTRY CLUB DRIVE	CHICKASHA	OK	73018
MIDWESTERN SERVICES INC	1913 7TH ST	SNYDER	TX	79549
MILLER THE DRILLER	5125 E UNIVERSITY	DES MOINES	IA	50317
MILLERS PRO CUT	6410 W 72ND TERR	OVERLAND PARK	KS	66204
MILLGARD CORPORATION THE	12822 STARK RD	LIVONIA	MI	48150
MILLS ELECTRICAL CONTRACTORS	2535 WALNUT HILL LN	DALLAS	TX	75229
MISSOURI VALLEY INC	4614 MCCARTY BLVD	AMARILLO	TX	79110
MJM SERVICES INC	207 N 48TH ST	BELLEVILLE	IL	62223
MORNINGSTAR CONSTRUCTION CO	8751 GODDARD	OVERLAND PARK	KS	66214
MORRISSEY CONTRACTING CO	705 SOUTHMOOR PL	GODFREY	IL	62035
MOSLEY ELECTRIC INC	POST OFFICE BOX 789	QUINCY	IL	62301
MOUNTAIN MECHANICAL CONTRACTORS INC	903 S SCHOOL	FAYETTEVILLE	AR	72701
MOWERY BACKHOE & TRENCHER SERVICE	25374 TONGANOXIE RD	LEAVENWORTH	KS	66048
MULTIMAX INC	1441 MCCORMICK DR	LARGO	MD	20774
MULTIPLE CONCRETE ENTERPRISES	1680 W 1000 N	LAYTON	UT	84041
MUNICIPAL PIPE TOOL COMPANY INC	515 5TH ST	HUDSON	IA	50643
MUNIE COMPANY	1000 MILBOURN SCHOOL ROAD	CASEYVILLE	IL	62232
MUSE EXCAVATION & CONSTRUCTION CO	504 S 8TH ST	ELWOOD	KS	66024
MUSTANG LINE CONTRACTORS INC	9105 N DIVISION ST STE A	SPOKANE	WA	99218
MYLES LORENTZ INC	48822 OLD RIVER BLUFF RD	ST PETER	MN	56082
NATGUN CORP	11 TEAL RD	WAKEFIELD	MA	01880
NATIONAL ABATEMENT CORPORATION	3080 N CENTER RD	FLINT	MI	48519
NATIONAL CONSTRUCTION SERVICES INC	520 LANCASTER AVE	FRAZER	PA	19355
NATIONAL INDUSTRIAL MAINTENANCE SER	121 EDWARDS DR	JACKSON	TN	38302
NATIONAL STEEL ERECTORS	PO BOX 709	MUSKOGEE	OK	74402
NEBRASKA MIDWEST CONSTRUCTION COMPA	406 N 22ND ST	NEBRASKA CITY	NE	68410
NELSON INDUSTRIAL SERVICES INC	6021 MELROSE LN	OKLAHOMA CITY	OK	73127
NEW DIMENSION INC	631 E BIG BEAVER #109	TROY	MI	48083
NHC CONSTRUCTION LLC	5960 DEARBORN STE 15	MISSION	KS	66202
NO FAULT INDUSTRIES INC	11325 PENNYWOOD AVE	BATON ROUGE	LA	70809
NORMENT SECURITY GROUP INC	3224 MOBILE HWY	MONTGOMERY	AL	36108

<u>Contractor</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
NORTH CENTRAL BUILDERS INC	321 N BROADWAY	HARTINGTON	NE	68739
NORTH COAST 88 INC	170 EAST MAIN ST	NORWALK	OH	44857
NORTH MISSISSIPPI CONVEYOR COMPANY INC	HWY 7S LAFAYETTE CO RD370	OXFORD	MS	38655
NORTHERN CLEARING INC	1805 W MAIN ST	ASHLAND	WI	54806
NORTHLAND CONTRACTING INC	HIGHWAY 2 EAST	SHEVLIN	MN	56676
NORTHWEST ENERGY SYSTEMS INC	315 S GREGG ST	FAYETTEVILLE	AR	72701
NUTRIJECT SYSTEMS INC	515 5TH ST	HUDSON	IA	50643
O & M SERVICES INC	207 E MAIN ST	FAIRFIELD	IL	62837
ODONNELL & SONS CONSTRUCTION CO INC	15301 BROADMOOR ST	OVERLAND PARK	KS	66223
OFALLON ELECTRIC COMPANY	P O BOX 488	OFALLON	IL	62269
ONEAL ELECTRIC SERVICE INC	3073 MERRIAM LN	KANSAS CITY	KS	66106
OSTROM PAINTING & SANDBLASTING INC	1110-8TH AVE	ROCK ISLAND	IL	61201
P & P CONSTRUCTION CO	1132 E LINCOLN ST	RIVERTON	IL	62561
PARADISE FIBERGLASS POOLS INC	3115 N ILL AVE	SWANSEA	IL	62226
PARKWAY CONSTRUCTION & ASSOCIATES I	1660 S STEMMONS #340	LEWISVILLE	TX	75067
PAVEMENT SPECIALISTS INC	15 238 CO RD M1	NAPOLEON	OH	43545
PBM CONCRETE INC	311 LOWELL AVE	ELK RIVER	MN	55330
PEOPLE & MACHINES CORP	2468 33RD AVE	COLUMBUS	NE	68601
PERMANENT PAVING INC	8900 INDIAN CREEK PKWY	OVERLAND PARK	KS	66210
PETERSON CONSTRUCTION	1929 W 2ND ST	WEBSTER CITY	IA	50595
PETERSON CONTRACTORS INC	104 BLACKHAWK ST	REINBECK	IA	50669
PHILLIPS & JORDAN INC	6621 WILBANKS RD	KNOXVILLE	TN	37912
PINNACLE CONSTRUCTION INC	203 N CHESTNUT ST	GLENWOOD	IA	51534
PIONEER GROUP INC	8600 JUNIPER LANE	PRAIRIE VILLAGE	KS	66207
PITTSBURG TANK & TOWER CO INC	515 PENNEL ST	HENDERSON	KY	42420
PIZZAGALLI CONSTRUCTION COMPANY	50 JOY DR	S BURLINGTON	VT	05407
PLASTOCOR INC	25 INDUSTRIAL PARK RD	HINGHAM	MA	02043
PLOWMAN CONSTRUCTION COMPANY INC	905 E PARK ST	OLATHE	KS	66061
PLUM RHINO CONSULTING LLC	1010 HUNTCLIFF STE 1350	ATLANTA	GA	30350
PNEUMATIC SYSTEMS INSTALLATION INC	10012 DARNELL	LENEXA	KS	66215
PRECAST ERECTORS INC	13400 TRINITY BLVD	EULESS	TX	76040
PRECISION CASEWORK & TRIM INC	816 SE 83RD ST	OKLAHOMA CITY	OK	73149
PRECISION ELECTRICAL CONTRACTORS INC	1977 LINCOLN WAY	WHITE OAK	PA	15131
PRO QUIP CORPORATION	8522 E 61ST ST	TULSA	OK	74133
PROFORMANCE ELECTRIC INC	11201 W 59TH TER	SHAWNEE	KS	66203
PROGRESSIVE CONTRACTORS INC	14123 42ND ST NE	ST MICHAEL	MN	55376
PSF MECHANICAL INC	9322 14TH AVE SOUTH	SEATTLE	WA	98108
PULTE HOMES OF GREATER KANSAS CITY	8700 STATE LINE RD #309	LEAWOOD	KS	66206
PYRAMID CONTRACTORS INC	891 W IRONWOOD RD	OLATHE	KS	66061
QUALITY AWNING & CONSTRUCTION CO	7937 SCHAEFER RD	DEARBORN	MI	48126
R & R ELECTRIC INC	HWY 75 N PO BOX 181	BRECKENRIDGE	MN	56520
RIZOKAITIS CONSTRUCTION INC	14817 GRANT ST	OMAHA	NE	68116

<u>Contractor</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
R MESSNER CONSTRUCTION CO INC	3595 N WEBB RD #500	WICHITA	KS	67226
R N HARRIS CONSTRUCTION CO	3200 HASKELL AVE STE 140	LAWRENCE	KS	66046
RANGER PLANT CONSTRUCTIONAL CO INC	5851 E US HIGHWAY 80	ABILENE	TX	79601
RCS CONSTRUCTION INC	197 OLD ST LOUIS RD	WOOD RIVER	IL	62095
RDC MANUFACTURING INC	200 LUKKEN INDUSTRIAL DR	LA GRANGE	GA	30240
REASONS CONSTRUCTION COMPANY INC	3825 EAST END DR	HUMBOLDT	TN	38343
RECLAMATION ASSOCIATES INC	105 S MAIN	WALNUT	KS	66780
REDDINGER CONSTRUCTORS INC	6301 OLD BOONVILLE HWY	EVANSVILLE	IN	47715
REDNOUR STEEL ERECTORS INC	HWY 150	CUTLER	IL	62238
RENIER CONSTRUCTION CORPORATION	2164 CITY GATE DRIVE	COLUMBUS	OH	43219
RENTENBACH CONSTRUCTORS INC	2400 SUTHERLAND AVE	KNOXVILLE	TN	37919
RESERV CONSTRUCTION CO INC	7101 SHARONDALE CT #200	BRENTWOOD	TN	37027
RETAIL CONSTRUCTION SERVICES INC	11343 39TH ST N	ST PAUL	MN	55042
RETAIL PLANNING & CONSTRUCTION INC	735 BIRCH AVE	BENSALEM	PA	19020
RETAIL STOREFRONT GROUP INC	419 MIAMI AVE	LEEDS	AL	35094
REVENUE SOLUTIONS INC	752 WASHINGTON ST	PEMBROKE	MA	02359
RFB CONSTRUCTION CO INC	3222 NW 160 HWY	CHEROKEE	KS	66724
RICHARD GOETTLE INC	12071 HAMILTON AVE	CINCINNATI	OH	45231
RICHARDSON CORPORATION	WATER PLANT RD	OWINGSVILLE	KY	40360
RJ PITCHER INC	4575 BUCKLEY RD	LIVERPOOL	NY	13088
RMP INC	PO BOX 16141	SHAWNEE	KS	66203
ROBERT W BRITZ PAINTING COMPANY INC	14272 FRAZEE RD	DIVERNON	IL	62530
ROBERTSON PAINTING INC	3116 S ARROWHEAD CT	INDEPENDENCE	MO	64057
ROD BUSTERS INC	624 S MISSOURI ST STE 100	INDIANAPOLIS	IN	46225
ROLLING PLAINS CONSTRUCTION INC	12153 MOLINE STR	HENDERSON	CO	80640
ROMAN MOSAIC & TILE CO	1105 SAUNDERS CR	WEST CHESTER	PA	19380
ROOF MAINTENANCE SERVICES INC	#8 COMMODORE DRIVE	BELLEVILLE	IL	62223
ROSE LAN CONTRACTORS INC	952 OSAGE	KANSAS CITY	KS	66105
ROYAL ELECTRIC CONSTRUCTION INC	7905 MONTICELLO RD	SHAWNEE MISSION	KS	66203
RP INDUSTRIES INC	105 REYNOLDS DR	FRANKLIN	TN	37064
RUSSELL CONSTRUCTION CO	3032 A NORTH FRAZIER ST	CONROE	TX	77303
RUSSIAN CONCRETE CONSTRUCTION	1133 S 205TH	PITTSBURG	KS	66762
RYAN FLOORS INC	305 CARL STREET	ROCKVILLE	MD	20851
S A COMUNALE CO INC	2900 NEWPARK DR	BARBERTON	OH	44203
SAGEZ CONSTRUCTION INC	HC61 BOX 17	HARDIN	IL	62047
SARGENT ELECTRIC CO	28TH ST & LIBERTY AVE	PITTSBURGH	PA	15222
SCI GENERAL CONTRACTORS INC	4530 BARKSDALE BLVD STE C	BOSSIER CITY	LA	71112
SEAWARD CONSTRUCTION COMPANY INC	RT 236	KITTERY	ME	03904
SERRAULT SERVICES OF KANSAS INC	7625 LAKESIDE AVE	MANHATTEN	KS	66502
SERVICEMASTER DESIGN BUILD LLC	8615 FREEPORT PKWY 5-100	IRVING	TX	75063
SEVERN COMPANIES INC OF MARYLAND	6201 CHEVY CHASE DR	LAUREL	MD	20707
SGT LTD I	3407 TORREY RD	FLINT	MI	48507

<u>Contractor</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
SHAW CONTRACT FLOORING SERVICES INC	616 E WALNUT AVE	DALTON	GA	30722
SHAWNEE MISSION TREE SERVICE INC	8250 COLE PKWY	SHAWNEE MSN	KS	66227
SHAY ROOFING INC	1999 S 59TH ST	BELLEVILLE	IL	62223
SHILOH STEEL FABRICATORS INC	200 EAST HWY 264	SPRINGDALE	AR	72764
SHINGOBEE BUILDERS INC	669 N MEDINA ST P O BOX 8	LORETTO	MN	55357
SIERRA BRAVO INC	7038 STATE HWY 154	SESSER	IL	62884
SIMBECK & ASSOCIATES INC	38256 HWY 160	MANCOS	CO	81328
SKYLIGHT MANUFACTURING INC	1208 ALDINE MAIL RD	HOUSTON	TX	77039
SLUDGE TECHNOLOGY INC	8101 W 33RD STREET S	MUSKOGEE	OK	74401
SNELL NORTHCUTT ELECTRIC INC	P O BOX 24601	LITTLE ROCK	AR	72221
SOONER BUILDERS & INVESTMENTS INC	26005 E ADMIRAL	CATOOSA	OK	74015
SOPTIC PANNELL CONSTRUCTION CO INC	2038 S 49TH ST	KANSAS CITY	KS	66106
SOUTHERN ELECTRICAL SERVICES INC	445 METROPLEX DR	NASHVILLE	TN	37211
SPARKS & WIEWEL CONSTRUCTION CO	6200 BROADWAY	QUINCY	IL	62301
SPARROW PLUMBING & HEATING INC	313 DELAWARE	QUINCY	IL	62301
SPECIALTY CONSTRUCTORS INC	2445 ALAMO STREET SE	ALBUQUERQUE	NM	87106
SPINIELLO COMPANIES	35 AIRPORT RD	MORRISTOWN	NJ	07962
SPINIELLO LIMITED INC	35 AIRPORT RD	MORRISTOWN	NJ	07962
SPORTS METALS INC	P O BOX 1338	PHENIX CITY	AL	36868
STELLAR GROUP INC	2900 HARTLEY RD	JACKSONVILLE	FL	32257
STORY CONSTRUCTION CO	300 S BELL AVE	AMES	IA	50010
STRATEGIC INFORMATION SOLUTIONS	20 N CLARK ST STE 1650	CHICAGO	IL	60602
STRAUB CONSTRUCTION CO INC	10575 WIDMER	LENEXA	KS	66215
STRUDEL ELECTRIC INC	1375 W WALNUT ST	GIRARD	KS	66743
STUEVE CONSTRUCTION COMPANY	2201 E OAK ST	ALGONA	IA	50511
SUNCON INC	#2 TERMINAL DR STE 17A	EAST ALTON	IL	62002
SUNLAND CONSTRUCTION INC	HWY 13 SOUTH	EUNICE	LA	70535
SUPERIOR CONCRETE PRODUCTS	P O BOX 201625	ARLINGTON	TX	76006
SUPERIOR FLOORS INC	3225 N PROSPECT RD	PEORIA	IL	61603
SURFACE PREPARATION TECHNOLOGIES INC	81 TEXACO ROAD	MECHANICSBURG	PA	17055
SURVCON LAND SURVEYING AND CONSTRUCTION STAKING	3224 HWY 392 W	HARRISON	AR	72601
SW FRANKS CONSTRUCTION CO	2070 WEST 3RD ST	CLEVELAND	OH	44113
SW HUFFMAN CONSTRUCTION INC	PO BOX 99	OTTUMWA	IA	52501
SYRSTONE INC	201 S MAIN ST	NORTH SYRACUSE	NY	13212
T SQUARE MILLWRIGHT SERVICES INC	BOX 519	N WEBSTER	IN	46555
TAFT CONTRACTING CO INC	5525 W ROOSEVELT	CICERO	IL	60804
TANCO ENGINEERING INCORPORATED	1030 BOSTON AVE	LONGMONT	CO	80501
TECH BUILDERS INC	410 DOWNTOWN PLZ	FAIRMONT	MN	56031
TEXAS COMMERCIAL FENCE INC	320 SOUTHLAND DR	BURNET	TX	78611
TEXAS STONE & TILE INC	2683 LOMBARDY LN	DALLAS	TX	75220
THIEMS CONSTRUCTION CO INC	P O BOX 386	EDWARDSVILLE	IL	62025

<u>Contractor</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
THOMAS & EGENHOEFER INC	N59W14053 BOBOLINK AVE	MENOMONEE FLS	WI	53051
THOMAS L BEAR CONSTRUCTION INC	14758 202ND ST	BLOOMFIELD	IA	52537
THOMPSON ELECTRIC COMPANY OF OMAHA	P O BOX 207	SIOUX CITY	IA	51102
TIC THE INDUSTRIAL COMPANY	40185 ROUTT COUNTY RD 129	STEAMBOAT SPRGS	CO	80477
TIDY BUILDING SERVICE OF MIDWEST	13818 PEMBROKE	LEAWOOD	KS	66224
TITAN CONTRACTING & LEASING CO INC	2205 RAGU DRIVE	OWENSBORO	KY	42302
TMI COATINGS INC	2805 DODD RD	EAGAN	MN	55121
TMS DESIGN SERVICES INC	7905 L STREET STE 110	OMAHA	NE	68127
TNT CONSTRUCTION CO INC	144 EASY ST	CAROL STREAM	IL	60188
TOAN INC	5320 SPEAKER ROAD	KANSAS CITY	KS	66106
TONTO CONSTRUCTION INC	HWY 16 W 78TH ST	MUSKOGEE	OK	74401
TRAC WORK INC	303 W KNOX	ENNIS	TX	75119
TRAYLOR BROS INC	835 N CONGRESS AVE	EVANSVILLE	IN	47715
TRI STATE BUILDING SUPPLY CO INC	N HWY 69	PITTSBURG	KS	66762
TRI STATE PAVING INC	STATE LINE RD	PICHER	OK	74360
TRI STATE SIGNING	509 BAILEY AVE	NEW HAMPTON	IA	50659
TRIGON ENGINEERING INC	475 17TH ST STE 300	DENVER	CO	80202
TSC OF KANSAS INC	2200 W 75TH ST STE 15	PRAIRIE VILLAGE	KS	66208
TULSA DYNASPAN INC	1601 E HOUSTON ST	BROKEN ARROW	OK	74012
TWEEDY CONTRACTORS INC	CORNER OF PYBURN & HOELSC	POCAHONTAS	AR	72455
TWIN CITY POOLS INC	948 KANSAS AVE	KANSAS CITY	KS	66105
U NEEK EXPO	7045 TROY HILL DR #300	ELDRIDGE	MD	21075
UNITED EXCEL CORPORATION	8041 W 47 ST STE 100	OVERLAND PARK	KS	66204
UNIVERSAL CONTRACTING CO	1207 LUCAS	BURLINGTON	IA	52601
UNIVERSAL LIMITED INC	932 ALTON PARKWAY	BIRMINGHAM	AL	35210
UNIVERSAL MACHINERY ERECTORS INC	3106 CLAY TURNER RD	PLANT CITY	FL	33566
VAUGHN ELECTRIC CO INC	313 E FLORIDA AVE	UNION CITY	TN	38261
VFP FIRE SYSTEMS INC	825 CORPORATE WOODS PKWY	VERNON HILLS	IL	60061
VINTAGE SPORTS CARDS INC	410 S TRADE CNTR PKWY #A8	CONROE	TX	77385
VOLTEK INC	8807 W 89TH ST	OVERLAND PARK	KS	66212
VON ALST INC	2416 SMELTING WORKS RD	BELLEVILLE	IL	62226
VON ROLL INC	3080 NORTHWOODS CIR STE 2	NORCROSS	GA	30071
W G YATES & SONS CONSTRUCTION COMPA	104 GULLY AVENUE	PHILADELPHIA	MS	39350
WACHTER ELECTRIC COMPANY	16001 W 99TH ST	LENEXA	KS	66219
WADE & ASSOCIATES INC	2500 W 6TH ST STE E	LAWRENCE	KS	66049
WALKER CONSTRUCTION CO INC	HWY 50 TO KAHOLA LAKE RD	EMPORIA	KS	66801
WALT WAGNER CONSTRUCTION INC	305 S 5TH ST	LEAVENWORTH	KS	66048
WALTER CONSTRUCTION USA INC	441 SW 41ST ST	RENTON	WA	98055
WALTERS EXCAVATING	24060 K 68 HWY	PAOLA	KS	66071
WASATCH ELECTRIC A DIVISION OF DYNA	1420 SPRING HILL RD SE500	MCLEAN	VA	22102
WEATHERCRAFT COMPANY OF GRAND ISLAND	312 NORTH ELM STREET	GRAND ISLAND	NE	68801
WEATHERCRAFT COMPANY OF LINCOLN	545 J ST	LINCOLN	NE	68508

<u>Contractor</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
WEBB ELECTRIC COMPANY	34375 W 12 MILE RD	FARMINGTON HILL	MI	48331
WEBER AIR CONDITIONING CO INC	2501 CONE DR	TARRANT	AL	35217
WEITZ COMPANY LLC THE	400 LOCUST STE 300	DES MOINES	IA	50309
WELLS & WEST INC	VALLEY VILLAGE SHOPPING C	MURPHY	NC	28906
WELSH COMPANIES	8200 NORMANDALE BLVD #200	MINNEAPOLIS	MN	55437
WESSELS CONSTRUCTION CO INC	1800 DES PLAINES AVE	FOREST PARK	IL	61030
WEST SIDE MECHANICAL INC	P O BOX 11247	KANSAS CITY	KS	66111
WESTERN INDUSTRIAL CONTRACTORS INC	5301 JOLIET ST	DENVER	CO	80239
WHITE MOUNTAIN CABLE CONSTRUCTION C	OLD DOVER RD	EPSOM	NH	03234
WHITING TURNER CONTRACTING CO THE	300 E JOPPA RD	BALTIMORE	MD	21286
WILLIAMS ELECTRIC CO INC	695 DENTON BLVD	FORT WALTON BEA	FL	32547
WOLIN ELECTRIC LC	600 SW 7TH STE P	DES MOINES	IA	50309
WOODS CONSTRUCTION INC	34650 KLEIN	FRASER	MI	48026
WOODWORKERS OF DENVER INC	1475 S ACOMA ST	DENVER	CO	80223
WR NEWMAN & ASSOCIATES INC	2854 LOGAN ST	NASHVILLE	TN	37211
YAZAKI EDS ENGINEERING INC	6800 HAGGERTY RD	CANTON	MI	48187
YORK CONTRACTORS INC	21025 W 105TH ST	OLATHE	KS	66061
YOUNG INSULATION GROUP OF NASHVILLE INC	7119 COCKRILL BEND IND BL	NASHVILLE	TN	37209
ZIMMERMAN CONSTRUCTION COMPANY INC	11005 W 126TH ST	OVERLAND PARK	KS	66213

Updated: 7/5/2002 9:22:19 AM

The Secretary of State is required by sections 347.141 and 359.481, RSMo 2000 to publish dissolutions of limited liability companies and limited partnerships. The content requirements for the one-time publishing of these notices are prescribed by statute. This listing is published pursuant to these statutes. We request that documents submitted for publication in this section be submitted in camera ready 8 1/2" x 11" manuscript.

NOTICE OF DISSOLUTION OF CORPORATION

NOTICE OF DISSOLUTION TO ALL CREDITORS OF AND CLAIMANTS AGAINST Clayton Catering Co., Inc., a Missouri corporation.

On December 27, 2001, Clayton Catering Co., Inc., a Missouri corporation, filed its Articles of Dissolution with the Missouri Secretary of State. Dissolution was effective on December 27, 2001.

Said Corporation requests that all persons and organizations who have claims against it present them immediately by letter to the Corporation to the attention of John W. Dillane at Greensfelder, Hemker & Gale, P.C., 10 S. Broadway, Suite 2000, St. Louis, Missouri 63102.

All claims must include: the name and address of the claimant; the amount claimed; the basis for the claim; and the date (s) on which the event(s) on which the claim is based occurred.

NOTICE: Because of the dissolution of Clayton Catering Co., Inc. any claims against it will be barred unless a proceeding to enforce the claim is commenced within two years after the publication date of the notices authorized by statute, whichever is published last.

Notice is given that J. E. Dunn, Jr. and Associates, Inc., with its registered office at 501 James, Harrisonville, Missouri 64701, has been dissolved as of July 26, 2002 in accordance with the Missouri general corporate code. J. E. Dunn, Jr. and Associates, Inc. requests that persons with claims against the corporation present the claims in accordance with the Missouri general corporate code. The claim must include the name of the claimant, the claimant's mailing address, and information describing the claim with specificity. The claim must be sent to J. E. Dunn, Jr. and Associates, Inc., c/o Michael A. Nigro, Mitchell, Kristl & Lieber, P.C., 1220 Washington, Third Floor, Kansas City, Missouri 64105. A claim against J. E. Dunn, Jr. and Associates, Inc., not otherwise barred, will be barred unless a proceeding to enforce the claim is commenced within two (2) years after publication of this notice.

NOTICE OF WINDING UP OF CRAFTTECH CUSTOM HOMES, L.L.C.

The above-referenced limited liability company has filed its Notice of Winding Up with the Missouri Secretary of State. All claimants of the limited liability company are hereby notified that any claim against the limited liability company will be barred unless a proceeding to enforce the claim is commenced within three years after the date of publication of this notice. In order to file a claim with the limited liability company, all claimants must furnish the following:

1. The amount of the claim;
2. The basis for the claim;
3. Documentation of the claim.

The claim must be mailed to: Dan K. Erdel, 103 W. Monroe, Mexico, MO 65265

**OFFICE OF ADMINISTRATION
Division of Purchasing**

BID OPENINGS

Sealed Bids in one (1) copy will be received by the Division of Purchasing, Room 580, Truman Building, PO Box 809, Jefferson City, MO 65102, telephone (573) 751-2387 at 2:00 p.m. on dates specified below for various agencies throughout Missouri. Bids are available to download via our homepage: www.moolb.state.mo.us. Prospective bidders may receive specifications upon request.

B1E03017 Paper: Carbonless 9/4/02;
B1E03034 Feminine Hygiene Products 9/4/02;
B3E03001 Auctioneering Services 9/4/02;
B3E03039 Printing: Motor Vehicle Temporary Permit 9/4/02;
B1E03012 Slip-On Volumetric Calibration Units 9/5/02;
B3E03031 Printing-2003 Wildlife Code of Missouri 9/6/02;
B3E03042 Vending Machine Services 9/10/02;
B3E03043 Printing-Continuous Two-Wide Vehicle License Renewal Application 9/10/02;
B3Z02226 Medicaid Managed Care-Eastern & Central Regions 9/10/02;
B3Z03004 First Step System Point of Entry (SPOE) 9/10/02;
B1E03028 Combination Oven/Steamer 9/11/02;
B1E03041 Mobile Cook/Chill Pump 9/11/02;
B1E03046 Meat Products: Chicken 9/12/02;
B3Z03047 Printing-Hunting & Trapping Regulations and Fishing Regulations 9/12/02;
B1E03029 Pumps 9/13/02;
B1E03033 Telehandler 9/13/02;
B1E03042 Restraints & Accessories 9/13/02;
B3E03023 Janitorial Services-7525-7547 South Lindbergh 9/13/02;
B1E03036 Lift Truck 9/16/02;
B1E03047 Frozen Foods: Bagels 9/16/02;
B3Z03045 Training Courses on Hazardous Materials 9/17/02;
B1E03011 Vehicles: Light Duty Trucks & SUV's 9/24/02;
B3Z02222 Pharmacy Services 9/24/02.

It is the intent of the State of Missouri, Division of Purchasing to purchase the following as a single feasible source without competitive bids. If suppliers exist other than the one identified, contact (573) 751-2387 immediately.

- 1.) Grant Administrator, supplied by Missouri Primary Care Association.
- 2.) FQHC Immunization Assessment, supplied by Missouri Primary Care Association.
- 3.) Library Investment for Tomorrow-Missouri (LIFT), supplied by Literacy Investment for Tomorrow Missouri.

SOSKB/Uniform Commercial Code (UCC) System-Additional Software Development Services, Remote Indexing, and Ongoing Maintenance, supplied by Office Automation Solutions.

James Miluski, CPPO,
Director of Purchasing

**Rule Changes Since Update to
Code of State Regulations**

This cumulative table gives you the latest status of rules. It contains citations of rulemakings adopted or proposed after deadline for the monthly Update Service to the *Code of State Regulations*, citations are to volume and page number in the *Missouri Register*, except for material in this issue. The first number in the table cite refers to the volume number or the publication year—25 (2000), 26 (2001) and 27 (2002). MoReg refers to *Missouri Register* and the numbers refer to a specific *Register* page, R indicates a rescission, W indicates a withdrawal, S indicates a statement of actual cost, T indicates an order terminating a rule, N.A. indicates not applicable and RUC indicates a rule under consideration, and F indicates future effective date.

Rule Number	Agency	Emergency	Proposed	Order	In Addition
OFFICE OF ADMINISTRATION					
1 CSR 10	State Officials' Salary Compensation Schedule				25 MoReg 2478
				27 MoReg 189
1 CSR 10-11.010	Commissioner of Administration	27 MoReg 1159	27 MoReg 1180		
1 CSR 15-2.200	Administrative Hearing Commission		27 MoReg 1093R		
1 CSR 15-2.210	Administrative Hearing Commission		27 MoReg 1093R		
1 CSR 15-2.230	Administrative Hearing Commission		27 MoReg 1093R		
1 CSR 15-2.250	Administrative Hearing Commission		27 MoReg 1094R		
1 CSR 15-2.270	Administrative Hearing Commission		27 MoReg 1094R		
1 CSR 15-2.290	Administrative Hearing Commission		27 MoReg 1094R		
1 CSR 15-2.320	Administrative Hearing Commission		27 MoReg 1095R		
1 CSR 15-2.350	Administrative Hearing Commission		27 MoReg 1095R		
1 CSR 15-2.380	Administrative Hearing Commission		27 MoReg 1095R		
1 CSR 15-2.390	Administrative Hearing Commission		27 MoReg 1095R		
1 CSR 15-2.410	Administrative Hearing Commission		27 MoReg 1096R		
1 CSR 15-2.420	Administrative Hearing Commission		27 MoReg 1096R		
1 CSR 15-2.430	Administrative Hearing Commission		27 MoReg 1096R		
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1 CSR 20-5.020 Leaves of AbsenceNovember 27, 2002

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- 2 CSR 30-2.011 Prohibiting Movement of Elk, White-Tailed Deer and Mule DeerOctober 27, 2002

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- 2 CSR 30-2.012 Requirements for Captive Elk Entering Missouri During September 1 through
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2 CSR 70-13.045 Registration of ApiariesJanuary 30, 2003
2 CSR 70-13.050 Cotton/Bee Protection AreaJanuary 30, 2003

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- 2 CSR 90-10.040 NFPA Manual No. 58 Storage and Handling of Liquefied Petroleum GasesDecember 30, 2002

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- 2 CSR 110-1.010 Description of General Organization; Definitions; Requirements of Eligibility, Licensing,
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- 3 CSR 10-9.353 Privileges for Class I and Class II Wildlife BreedersFebruary 10, 2003
3 CSR 10-9.565 Licensed Hunting Preserve: PrivilegesFebruary 10, 2003
3 CSR 10-9.566 Licensed Hunting Preserve: Records RequiredSeptember 16, 2002

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- 4 CSR 110-2.131 Definition of a Public Health SettingSeptember 20, 2002

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- 8 CSR 10-4.180 Coverage of Indian TribesDecember 27, 2002

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- 9 CSR 10-5.200 Report of Complaints of Abuse, Neglect and Misuse of Funds/PropertyOctober 28, 2002

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- 11 CSR 10-5.010 Missouri World War II Veterans' Recognition ProgramFebruary 27, 2003

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- 12 CSR 10-24.190 Drivers License Retesting Requirements After a License, School Bus Permit or
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12 CSR 10-24.326 Third Party Tester and Examiner Sanction and Hearing GuidelinesOctober 26, 2002

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- 13 CSR 40-2.140 Limitations on Amount of Cash PaymentsDecember 27, 2002
13 CSR 40-2.375 Medical Assistance for FamiliesDecember 27, 2002
13 CSR 40-30.030 Attorney Fees and Guardian *Ad Litem* Fees in Subsidized Adoption
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- 13 CSR 70-4.090 Uninsured Parents' Health Insurance ProgramDecember 27, 2002
13 CSR 70-15.010 Inpatient Hospital Services Reimbursement Plan; Outpatient Hospital Services
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13 CSR 70-15.040 Inpatient Hospital and Outpatient Hospital SettlementsFebruary 27, 2003
13 CSR 70-15.110 Federal Reimbursement Allowance (FRA)December 2, 2002
13 CSR 70-15.160 Prospective Outpatient Hospital Services Reimbursement MethodologyFebruary 27, 2003

13 CSR 70-15.170	Enhanced Disproportionate Share Payment to Trauma Hospitals for the Cost of Care to the Uninsured Provided by Physicians Not Employed by the Hospital	February 27, 2003
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13 CSR 70-20.200	Drug Prior Authorization Process	November 27, 2002
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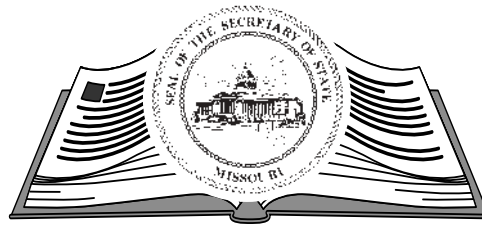
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